

In The Matter Of:
Aaron Petitt, et al. v.
City of Cleveland

Aaron Petitt
January 17, 2019

Fincun-Mancini, Inc.
1801 E. Ninth Street
Suite 1720
Cleveland, Ohio 44114
(216) 696-2272

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 - - -
5 Aaron Petitt,)
6 and)
7 Cleveland Police)
8 Patrolmen's Association,)
9 Plaintiffs,)
10 vs.) Case No. 1:18-CV-01678-JG
11 City of Cleveland,)
12 Defendant.)
13 - - -
14 Videotaped deposition of Aaron Petitt, a
15 plaintiff herein, called on behalf of the defendant
16 for oral examination, pursuant to the Federal Rules
17 of Civil Procedure, taken before Karen A. Toth,
18 Notary Public in and for the State of Ohio, pursuant
19 to notice, at Burke Lakefront Airport, 1501 North
20 Marginal Road, Cleveland, Ohio 44114, on Thursday,
21 January 17, 2019, commencing at 9:54 a.m.
22 - - -
23
24
25

Page 2

1 APPEARANCES:
2 On behalf of the Plaintiffs:
3 Jared Klebanow, Esq.
4 Klebanow Law LLC
5 701 City Club Building
6 850 Euclid Avenue
7 Cleveland, Ohio 44114
8 Avery Friedman, Esq.
9 Avery Friedman & Associates
10 701 City Club Building
11 850 Euclid Avenue
12 Cleveland, Ohio 44114
13
14 On behalf of the Defendant:
15 Michael J. Pike, Esq.
16 Assistant Director of Law
17 City of Cleveland Law Department
18 601 Lakeside Avenue, Room 106
19 Cleveland, Ohio 44114
20
21 Also present:
22 Steve Mengelkamp, Video technician
23 - - -
24
25

Page 3

1 INDEX
2 WITNESS: CROSS
3 Aaron Petitt
4 by Mr. Pike 4
5 - - -
6
7 E X H I B I T S
8 Defendant's: Marked
9 A 20
10 B 26
11 C 29
12 D 31
13 E 49
14 F 84
15 G 129
16 - - -
17
18
19
20
21
22
23
24
25

Page 4

1 PROCEEDINGS
2 VIDEO TECHNICIAN: We're on the record
3 at 9:54.
4 AARON PETITT
5 of lawful age, being first duly sworn, as
6 hereinafter certified, was examined and testified as
7 follows:
8 CROSS-EXAMINATION
9 By Mr. Pike:
10 Q Sir, my name is Michael Pike. I'll probably
11 be asking you all the questions today. Have
12 you ever had your depo taken before?
13 A Yes.
14 Q How long ago?
15 A Around two years.
16 Q All right. So a couple of ground rules. We
17 have to respond verbally to any questions that
18 are asked just like if you're testifying in
19 court. Try not to cut each other off. I'll
20 give you the courtesy of letting you finish
21 your answer completely before I go into my
22 next question and just try to let me finish my
23 entire question before I -- before you answer.
24 It helps Karen with putting together a clean
25 record and we won't talk over each other,

Page 5

1 okay?
2 A Okay.
3 Q Can you state your name for the record?
4 A Aaron Petitt.
5 Q Okay. And, Mr. Petitt, where are you
6 currently employed?
7 A The City of Cleveland.
8 Q Okay. And then can you tell me, let's say
9 starting with high school, your background
10 including any college or education that you
11 have attended?
12 A I went to Fairview High School.
13 Q Uh-huh.
14 A Before graduating at the age of 17 I enlisted
15 in the U.S. military. My senior year I went
16 to basic training. I came back and I
17 completed my senior year of high school.
18 Directly following high school I joined the
19 U.S. Army and was active duty, First Ranger
20 Battalion, 75th Ranger Regiment where I served
21 four tours in both Iraq and Afghanistan.
22 Following my service in the U.S.
23 military I joined the Cleveland Police
24 Department approximately a year after that and
25 I started going to school at a few different

Page 6

1 places including Tri-C, Cleveland State and
2 then online. And I graduated through
3 University of Phoenix with a Bachelor's of
4 Criminal Justice.
5 Q Okay. Just to give me an idea, when did you
6 graduate from high school year-wise?
7 A 2003.
8 Q Okay. And then you served four tours you said
9 in the U.S. Army?
10 A Yes.
11 Q When did you get out of there?
12 A October 14, '06.
13 Q And around 2007 you joined the Cleveland
14 Division of Police?
15 A Yes.
16 Q And what was your initial rank at that point?
17 What was your rank?
18 A I'm sorry.
19 Q Patrol officer?
20 A Yes.
21 Q You currently are still a patrol officer?
22 A Yes.
23 Q 2007 moving forward, at some point you left
24 the Cleveland Division of Police, correct?
25 A Correct.

Page 7

1 Q Do you recall the year or give me your best
2 estimate?
3 A 2011.
4 Q Okay. And then what did you leave the
5 Division of Police to do?
6 A To work as a security contractor for the U.S.
7 Department of State.
8 Q Did you work for the Department of State or
9 did you work for a contractor who had a
10 contract with the --
11 A Both.
12 Q Okay. So you worked for the Department of
13 State in what capacity?
14 A A security contractor.
15 Q What did you do?
16 A I provided close personal security and high
17 threat protection to mid and high level
18 dignitaries.
19 Q And where was that -- where was that
20 employment?
21 A Iraq.
22 Q Okay. And then you said you worked for a
23 contractor as well?
24 A Correct.
25 Q That's separate from the Department of State

Page 8

1 work?
2 A It was contracted to the State Department.
3 Q All right. So who paid you?
4 A Triple Canopy.
5 Q All right. So that was your employer?
6 A Correct.
7 Q And how long did that employment for Triple
8 Canopy last?
9 A Approximately a year and a half.
10 Q So we're talking about 2013 you're coming back
11 to Cleveland Division of Police?
12 A I'm not sure exactly on the dates.
13 Q Okay. Absent -- I mean, putting aside what
14 you did for Triple Canopy, did you have any
15 other for-pay employment up until you returned
16 to Cleveland Division of Police around 2012 or
17 '13?
18 A No.
19 Q All right. How much did you get paid by
20 Triple Canopy?
21 A \$500 daily.
22 Q Okay. And how long was that deployment?
23 A Generally 90 days on and 30 days off.
24 Q Why were you -- why did you cease working for
25 Triple Canopy?

Page 9

1 A Initially I received an injury while I was
2 overseas, and then the contracts through the
3 defense agencies were cut.
4 Q So Triple Canopy had lost the contract?
5 A I'm not exactly sure how it happened with the
6 contracts.
7 Q Okay. Did you apply to any other government
8 or contractors after you stopped working for
9 Triple Canopy?
10 A In regards to what time frame? I'm sorry.
11 Q Let's start after -- right after you stopped
12 working for Triple Canopy.
13 A No.
14 Q Okay. So your next -- I'm assuming when you
15 returned to the Cleveland Division of Police
16 you had to reapply?
17 A I had to submit a letter of intent to return.
18 Q Did you retire when you left --
19 A No.
20 Q -- the first time? What, did you take a leave
21 of absence?
22 A I resigned.
23 Q Okay. When you came back to Cleveland
24 Division of Police in about 2012, 2013 after
25 your work with Triple Canopy you were a patrol

Page 10

1 officer again?
2 A Yes.
3 Q What district?
4 A Third District.
5 Q What district are you currently in?
6 A Third District.
7 Q Did you stay in there since -- you stayed in
8 the Third District since 2013 area?
9 A No.
10 Q Okay. Walk me through where your career has
11 progressed through the Cleveland Division of
12 Police since 2013.
13 A I don't recall the exact dates but after the
14 large East Cleveland incident there was an
15 issue with manpower in the Second District. I
16 was sent to the Second District for 90 days
17 where I then returned to the Third District
18 for the remainder of the time.
19 Q So there has only been a 90 day period where
20 you were out at the Second District?
21 A Correct.
22 Q Otherwise you've been in the Third?
23 A Yes.
24 Q Okay. Since we're on employment, have you
25 applied for any other government contractor

Page 11

1 jobs besides -- well, at any time after you
2 returned from Triple Canopy?
3 A Yes.
4 Q Who?
5 A SOC, Aegis. That's all.
6 Q Okay. What were those positions?
7 A Protective security detail.
8 Q Okay. Were those two separate application
9 processes?
10 A Yes.
11 Q The same type of work for both?
12 A Yes.
13 Q And when did you a apply to SOC?
14 A Approximately seven months ago.
15 Q And then how about with respect to Aegis; when
16 did you apply?
17 A About the same time frame.
18 Q So that's summer of 2018 give or take?
19 A Yes.
20 Q How long have you received -- is that --
21 strike that.
22 Is that a written application process?
23 How did you apply to SOC?
24 A Online.
25 Q What does SOC stand for, if you know? Is that

Page 12

1 just --
2 A That's just the name of it. SOC is the name.
3 I don't know.
4 Q And do you have a copy of the application?
5 A No.
6 Q That was submitted online. You didn't print
7 out a copy or have a copy with you?
8 A No.
9 Q Are those positions still open or are they
10 still recruiting for those positions?
11 A I'm not sure.
12 Q Did you receive a follow-up letter or response
13 in any way with respect to that application
14 for SOC?
15 A No.
16 Q You didn't hear anything?
17 A No.
18 Q Do you know, to your knowledge, whether or not
19 that position is still open?
20 A I don't know.
21 Q Do you have any knowledge as to why you didn't
22 receive any type of follow-up employment with
23 SOC?
24 A No.
25 Q You have no information with regard to that,

Page 13

1 do you?
2 A No.
3 Q Okay. Do you know what the pay rate was
4 suppose -- was going to be for this position?
5 A 500 a day.
6 Q How about with respect to Aegis; did you make
7 the same type of application online?
8 A Yes.
9 Q Do you have a copy of that application?
10 A No.
11 Q Do you know if that position is still open?
12 A I don't know.
13 Q Did you receive any follow-up information or
14 contact regarding that application?
15 A No.
16 Q So do you know any reason why you didn't
17 receive anything since the time -- from Aegis
18 since the time you applied?
19 A I don't know.
20 Q Did you have any conversations with anyone
21 regarding your application for SOC or Aegis?
22 A No.
23 Q Same type of pay structure?
24 A Yes.
25 Q Have you made any other applications to any

Page 14

1 other -- for any other employment outside the
2 Cleveland Division of Police?
3 A Yes.
4 Q To whom or what entities?
5 A Metroparks.
6 Q What is that application for?
7 A Patrol officer/park ranger.
8 Q Okay. When did you make that ap?
9 A Approximately seven or eight months ago.
10 Q So around the same time you made these other
11 applications?
12 A Yes.
13 Q Did you hear back from the Metroparks?
14 A Yes.
15 Q What did they say?
16 A I was granted a phone interview.
17 Q Okay. Do you have a copy of your application
18 that you submitted to the Metroparks?
19 A I don't believe so.
20 Q Was that online or a written ap?
21 A It was online.
22 Q With respect to the phone interview, when did
23 that occur?
24 A November 2018.
25 Q When did you first hear back from Metroparks?

Page 15

1 A I immediately received an automated email
2 stating they received the application.
3 Q Okay.
4 A Sometime after that that I can't recall I
5 received the email advising me that I'd be
6 receiving a telephone interview.
7 Q Okay. What period of time are we talking, a
8 week or two?
9 A I believe it was a few months.
10 Q Could you be any more specific?
11 A No.
12 Q Is that an email you received?
13 A Yes.
14 Q Do you still have the email?
15 A I'm not sure.
16 Q So you -- did you have to call or talk -- did
17 that email give you instructions as to how to
18 proceed with respect to the phone interview?
19 A Yes.
20 Q Who did you have to call or -- talk to or
21 call, if you recall?
22 A I don't recall.
23 Q Do you know who you spoke to at the
24 Metroparks?
25 A No.

Page 16

1 Q Do you recall the substance of the
2 conversation you had?
3 A Yes.
4 Q How long was the conversation?
5 A Approximately ten minutes.
6 Q Okay. What did you guys -- what was discussed
7 on the phone call?
8 A My background and my goals for the department.
9 Q Okay.
10 A My goals in joining the department.
11 Q Did you receive an offer from Metroparks?
12 A No.
13 Q Do you know why?
14 MR. KLEBANOW: Objection. You can
15 answer.
16 MR. PIKE: What's the objection?
17 MR. KLEBANOW: Form. Go ahead and
18 answer.
19 Q Did anybody express to you the reason why you
20 didn't receive that position?
21 A No.
22 Q So you have no idea why you didn't receive the
23 position?
24 A No.
25 Q You don't have any facts or evidence to

Page 17

1 indicate why you didn't receive that position?
2 A No.
3 Q Okay. Did you receive any type of letter
4 after your phone interview?
5 A No.
6 Q Did they tell you you didn't receive the
7 position or is it just --
8 A No.
9 Q Never contacted you again?
10 A No.
11 Q Bad question. Double negative. Did anyone
12 ever contact you again after the phone
13 interview?
14 A No.
15 Q Did you contact them?
16 A No.
17 Q Okay. Since that application have you made
18 application anywhere else for employment?
19 A Yes.
20 Q Where is that?
21 A Stark Enterprise.
22 Q What is Stark Enterprise?
23 A It's a realtor organization in downtown
24 Cleveland.
25 Q Realty?

Page 18

1 A Yes.
2 Q Okay. What position were you applying for?
3 A Director of security.
4 Q When did you make that application?
5 A Approximately seven to eight months ago.
6 Q Did you make that application online or --
7 A Online.
8 Q Okay. Do you have a copy of your application?
9 A No, I don't.
10 Q Stark Enterprises, are they located in
11 Cleveland?
12 A Yes.
13 Q Do you know their address offhand?
14 A No.
15 Q Did you receive any follow-up interview or
16 contact from Stark Enterprises after you
17 submitted your application?
18 A No.
19 Q Do you know -- have any reason to know why?
20 A No.
21 Q Did you ever have any conversation with anyone
22 associated with Stark Enterprises?
23 A No.
24 Q Okay. Besides Stark Enterprises did you make
25 any other application for employment?

Page 19

1 A Owens Corning.
2 Q Okay. When did you make that application?
3 A Along the same time frame.
4 Q Online I'm assuming?
5 A Yes.
6 Q What was that? What position were you
7 applying for?
8 A International threat and security advisor.
9 Q Did you receive a follow-up interview with
10 respect to that application?
11 A No.
12 Q Do you know -- have any reason to know why?
13 A No.
14 Q Did you have any conversation or receive any
15 written correspondence from anyone at Owens
16 Corning regarding this position?
17 A I received an email saying that I was not
18 selected.
19 Q Okay. When did you receive that?
20 A I'm not sure on the date.
21 Q Do you still have the email?
22 A I believe so.
23 Q Besides that email indicating that you weren't
24 selected to either an interview or the
25 position did you have any other contact with

Page 20

1 Owens Corning regarding that position?
2 A No.
3 Q What's your -- did you apply anywhere else?
4 A No.
5 Q Okay. So I have Owens Corning, Stark
6 Enterprises, the Metroparks job, SOC and Aegis
7 for applications since about seven, eight
8 months ago?
9 A Correct.
10 Q Are there any other applications for positions
11 that we haven't discussed?
12 A Not that I recall.
13 Q Okay. I didn't tell you at the beginning. If
14 you need to take a break or get water, just
15 let me know, we'll take a break. It's not a
16 marathon.
17 A Okay.
18 (Defendant's Exhibit A
19 marked for identification.)
20 Q All right. I'm going to show you what's been
21 marked as Exhibit A. Do you recognize this
22 document?
23 A Yes.
24 Q What is it?
25 A It's the complaint filed -- filed by my

Page 21

1 attorneys and CPPA.
2 Q Okay. I want to run through some of the
3 things that you've alleged in this complaint.
4 I ask you -- I just want to ask you a few
5 things about Paragraph 9 on Page 3. Talks
6 about your four tours of duty. How long is a
7 tour of duty?
8 A It ranges.
9 Q Ranges from what to what?
10 A From three weeks to two years.
11 Q Okay. So the four tours of duty that you did,
12 how long did each one of those last, if you
13 recall?
14 A Between three and six months.
15 Q How about the first tour, how long?
16 A Approximately three to four months.
17 Q Okay. How about the second?
18 A Approximately four months.
19 Q Third?
20 A I believe it was seven months.
21 Q And then the fourth?
22 A Four.
23 Q Those were all consecutive with no breaks?
24 A No.
25 Q So you came back and then you had -- you

Page 22

1 stayed here and then re-enlisted? How does
2 that work between the tours?
3 A I was still active military in between the
4 tours.
5 Q So you got redeployed?
6 A Correct.
7 Q Okay. So you did your first tour -- between
8 your first and second tour of duty were you
9 furloughed back here in the states?
10 A No.
11 Q Okay. What happened? You just stayed there?
12 A On active duty military the units we were in,
13 being in a special operations unit we were
14 only overseas for three to four months at a
15 time. We would then return back home and
16 continue to train for the next operational
17 deployment.
18 Q Okay. Looking at Page 3 of your complaint, in
19 Paragraph 9 some -- they're referred to here
20 as decorations regarding the United States
21 Army. I just want to run through them. With
22 respect to the United States Army Achievement
23 Medal, can you tell me what that is?
24 A It's a medal that's awarded to someone who was
25 recognized for something that they did.

Page 23

1 Q Okay. And in your circumstance who
2 recommended you for the medal?
3 A I don't recall.
4 Q Do you know what it was for?
5 A I don't recall.
6 Q With respect to the National Defense Service
7 Medal, what is that for, if you recall?
8 A The National Defense Service Medal is issued
9 for wartime service.
10 Q Okay. All members of the armed -- of the Army
11 who perform wartime service receive the medal?
12 A I'm not sure.
13 Q Okay. How about the Afghanistan Campaign
14 Medal, is that similar with respect to the
15 National Defense Service Medal; is it awarded
16 for people that serve in that campaign?
17 A Yes.
18 Q How about the Global War on Terrorism
19 Expeditionary Medal, do you know what that's
20 awarded for?
21 A It's awarded to expeditionary services.
22 Q What is an expeditionary service?
23 A I don't have the exact definition.
24 Q Okay. Is that another medal that's -- for
25 lack of a better term, it's awarded for

Page 24

1 participation in a particular campaign?
2 A No.
3 Q Okay. Can you tell me what -- anything more
4 specifically about it?
5 A No.
6 Q Okay. How about the United States Army
7 Service Ribbon, do you know what that's
8 awarded for?
9 A I think that one is just awarded for joining
10 the Army.
11 Q Okay. And then the U.S. Army Ranger Tab,
12 that's for becoming a part of the U.S. Army
13 Rangers I'm assuming?
14 A No.
15 Q Okay. What is that for?
16 A It's for completing the U.S. Army Ranger
17 school.
18 Q Okay. Can you complete the school and not
19 become an Army Ranger?
20 A Yes.
21 Q And then the Parachutist Badge, what is that
22 for?
23 A For jumping out of planes.
24 Q Okay. All right. Scrolling through Page 5,
25 there is an allegation in Paragraph 28 that

Page 25

1 you talk about that you had served as a
2 Cleveland Division of Police officer for
3 roughly ten years and you had an excellent
4 professional record. What I want to ask you
5 is with regards to your professional career as
6 a Cleveland Division of Police officer have
7 you received any disciplinary infractions or
8 charges in your career?
9 A Yes.
10 Q Can you tell me what those were and when they
11 occurred?
12 A I don't recall the exact date.
13 Q Okay. So can you tell me what charges you've
14 been brought up on during your career, if you
15 recall?
16 A I was charged with failure to obey a direct
17 order.
18 Q Insubordination; is that what it's called?
19 A I believe it was insubordination. I'm not
20 sure.
21 Q Okay. Can you tell me when that occurred?
22 A I don't recall the exact date.
23 Q Okay. And my understanding is you were found
24 guilty of that?
25 A Yes.

Page 26

1 Q And were you suspended or receive any
2 discipline with regard to that?
3 A Yes.
4 Q What was it, if you recall?
5 A Ten days.
6 Q Is that the first time that you were brought
7 up on disciplinary charges, to your
8 recollection?
9 A I don't recall.
10 Q What's the next time, if you recall, when you
11 were brought up on disciplinary charges?
12 A I believe it was this.
13 Q In 2018 is the next time that you believe you
14 were brought up on disciplinary charges?
15 A I believe.
16 Q Okay. Tell me a little bit about your
17 recollection of what occurred in 2018.
18 A Well, I was charged with -- I don't know the
19 exact terms or exactly what the charge paper
20 said for the incident that we're here for. I
21 don't want to speculate.
22 Q Okay.
23 MR. PIKE: Can you mark that B?
24 (Defendant's Exhibit B
25 marked for identification.)

Page 27

1 Q Let me know when you've had a chance to take a
2 look at that.
3 A Okay.
4 Q Do you recognize that document?
5 A Yes.
6 Q What is it that I handed you as Exhibit B?
7 A This is the charge packet that I received.
8 Q This is with respect to the charges that you
9 were -- sorry. The specifications you were
10 charged with back in April of 2018?
11 A Correct.
12 Q You received this letter, I'm assuming?
13 A Yes.
14 Q Did you receive it before you had a
15 predisiplinary hearing?
16 A Yes.
17 Q Okay. And does it outline all the
18 specifications and charges that you were
19 charged with as a result of both this incident
20 that occurred in April of 2017 as well as an
21 incident that occurred in October of 2017?
22 A Yes.
23 Q It has -- there is actually several charges in
24 here; are there not?
25 A Yes.

Page 28

1 Q With regard to the second page of that
2 document, it has three specifications,
3 correct?
4 A Correct.
5 Q And those were the three specifications you
6 were charged with, correct?
7 A Yes.
8 Q The first specification relates to your
9 lawsuit that we're here about today where it's
10 alleged that you used disparaging remarks when
11 referencing an Arabic male during a potential
12 police action, correct?
13 A Correct.
14 Q Specification 2 charges you with failing to
15 use de-escalation techniques and contact and
16 cover when approaching a male as part of a
17 traffic stop, correct?
18 A Correct.
19 Q Okay. And then Specification 3 charges you
20 with failing to follow police rules and
21 regulations regarding covering your exposed
22 tattoos, correct?
23 A Correct.
24 Q Okay. And you were found guilty of all three
25 of those charges?

Page 29

1 MR. KLEBANOW: Objection. You can
2 answer.
3 A Yes.
4 MR. PIKE: Let's mark that.
5 (Defendant's Exhibit C
6 marked for identification.)
7 Q Let me know when you've had a chance to take a
8 look at what we've had marked as Exhibit C.
9 A Okay.
10 Q Okay. Can you tell me what Exhibit C is?
11 A It is the reiteration of the specifications
12 and the findings by Chief Williams.
13 Q Okay. And he found the findings with respect
14 to what is contained in this letter, you were
15 found guilty of all three specifications,
16 correct?
17 A Yes, he did.
18 Q With regard to Exhibit B, Specification 1, are
19 you aware of what group or severity level that
20 specification is?
21 A No.
22 Q Are you aware it's a Group II offense?
23 A No.
24 Q Do you have any reason to dispute that?
25 MR. KLEBANOW: Objection. You can

Page 30

1 answer.
2 A I'm not sure. I don't know.
3 Q Okay. How about with regard to Specification
4 2, do you know what group level defense -- or
5 what group level specification that is?
6 A No.
7 Q Would you have any reason to dispute that it's
8 a Group II offense?
9 MR. KLEBANOW: Objection. You can
10 answer.
11 A I don't know.
12 Q How about with respect to Specification 3, do
13 you know what group level offense that is?
14 A No.
15 Q Okay. All right. Between the time that you
16 received Exhibit B and the time that you
17 received Exhibit C it's my understanding you
18 had a predisdisciplinary hearing, correct?
19 A Correct.
20 Q And what was the purpose of that
21 predisdisciplinary hearing?
22 MR. KLEBANOW: Objection. You can
23 answer.
24 A I'm not sure.
25 Q Aren't you a member of a collective bargaining

Page 31

1 unit?
2 THE NOTARY: Hold on.
3 MR. PIKE: Oh, sorry.
4 (Defendant's Exhibit D
5 marked for identification.)
6 Q I'm going to show you what's been marked as
7 Exhibit D, if you want to take a look at that.
8 A Okay.
9 Q All right. Can you tell me what that is?
10 A This is a transcript of the hearing.
11 Q That's your predisdisciplinary hearing?
12 A Correct.
13 Q All right. So when you received Exhibit B is
14 it fair to say that you were put on notice of
15 the charges against you?
16 MR. KLEBANOW: Objection. You can
17 answer.
18 A Yes.
19 Q Did you receive notice of the charges before
20 you received this letter, Exhibit B?
21 A I'm sorry. Give me just a moment.
22 Q Sure.
23 A Could you repeat the question?
24 Q Sure.
25 MR. PIKE: Go ahead and read the

Page 32

1 question back.
2 (Question read.)
3 A I'm still not sure what you're asking.
4 Q Sure. Were you put on notice of the charges
5 that you were brought up on with respect to
6 what's contained in Exhibit B before you
7 received Exhibit B?
8 MR. KLEBANOW: Objection. You can
9 answer.
10 Do you understand the question?
11 A I guess I don't really understand. I'm sorry.
12 Q Sure. Is Exhibit B the first time you
13 received notice of the charges that were
14 lodged against you by the City of Cleveland
15 that are contained within Exhibit B?
16 MR. KLEBANOW: Objection. You can
17 answer.
18 A Yes.
19 MR. PIKE: What is the
20 objection?
21 MR. KLEBANOW: Form. Speaking
22 objections. Go ahead and ask your question.
23 I can object to a question. We're not here to
24 argue --
25 MR. PIKE: Well, if I can -- if

Page 33

1 I can correct the form of the question I'm
2 entitled to do so at this time.
3 MR. KLEBANOW: I can object. We're
4 not here -- it's not speaking objections
5 during a deposition.
6 MR. PIKE: I'm entitled to the
7 basis of the objection here.
8 MR. KLEBANOW: Go ahead. I don't
9 have to sit here and justify my objections.
10 You can sit here and ask the questions.
11 Q Okay. Were you charged with anything other
12 than what was contained in Exhibit B?
13 A No.
14 Q Okay. Was any information or evidence lodged
15 against you at the predisciplinary hearing
16 that was conducted with respect to Exhibit D
17 as the transcript of, was anything else
18 provided against you other than -- any other
19 charges brought against you other than what's
20 in Exhibit B?
21 A No.
22 Q Okay. And at that hearing were you given an
23 opportunity to provide your side of the story?
24 A Yes.
25 Q And you were given an opportunity to respond

Page 34

1 to all the charges against you, correct?
2 A Yes.
3 Q And through your counsel you chose not to
4 provide any additional information, correct?
5 A Correct.
6 Q And nowhere in that transcript did you dispute
7 or contest any of the charges with respect to
8 Specification 2 or Specification 3, did you?
9 A No.
10 Q Okay. And with respect to Specification 1,
11 it's my understanding that you replied upon
12 your Garrity statement?
13 MR. KLEBANOW: Objection. Go ahead
14 and answer.
15 A Correct.
16 Q Do you have a recollection of the testimony
17 you gave in your Garrity statement interview?
18 A Yes.
19 Q Okay. Can you tell me -- well, do you
20 remember word for word what you said?
21 A No.
22 Q Going back to some of the allegations in the
23 complaint which we marked as Exhibit A. Give
24 me a second. I want to find --
25 A While you're doing that would it be all right

Page 35

1 if I go use the restroom?
2 Q Please do.
3 VIDEO TECHNICIAN: We're off the record
4 at 10:31.
5 (Short recess.)
6 VIDEO TECHNICIAN: We're back on the
7 record at 10:37.
8 By Mr. Pike:
9 Q Okay. Sir, back to -- back to some of the
10 allegations of the complaint. I asked you
11 about discipline. You told me about a 2013
12 approximate case involving insubordination.
13 In 2014 were you brought up on charges for
14 engaging in unauthorized secondary employment
15 as well?
16 A I don't recall.
17 Q Okay. Do you defer to records that are within
18 the purview of the Cleveland Division of
19 Police?
20 A Yes.
21 Q Are you saying that it didn't happen or you
22 just have no recollection one way or another?
23 A I'm saying I don't have any recollection.
24 Q Okay. How about in 2009 approximately, were
25 you charged with the improper use of a taser?

Page 36

1 A Not that I recall.
2 Q You don't know one way or another or are you
3 saying it didn't happen?
4 A I don't recall ever being charged with that.
5 Q Okay. How about with respect to 2015, were
6 you brought up on charges regarding using
7 unsafe tactics?
8 A I don't recall that.
9 Q Do you recall any disciplinary procedures
10 around those relative time frames? And I'll
11 reread them. Around 2009?
12 A No.
13 Q Okay. How about with respect to 2015? I'm
14 sorry. 2014.
15 A No, I don't recall.
16 Q Okay. How about with respect to 2015?
17 A No.
18 Q All right. If there is documented evidence
19 that supports a disciplinary process regarding
20 those in your file, do you have any reason to
21 object to those?
22 A No.
23 Q Okay. All right. Back to looking at Exhibit
24 A which is the complaint in the case. I'm
25 going to direct you to Paragraph 32 if you

Page 37	Page 39
<p>1 could. It's on Page 6.</p> <p>2 A Okay.</p> <p>3 Q There is an allegation here that the City of</p> <p>4 Cleveland should have known that the word that</p> <p>5 you used was not disparaging. What evidence</p> <p>6 do you have to support that allegation?</p> <p>7 MR. KLEBANOW: Objection. You can</p> <p>8 answer.</p> <p>9 A Based on my experience and training stemming</p> <p>10 from my first round of basic training when I</p> <p>11 was 17 the word haji was commonplace and used</p> <p>12 on an almost daily basis. Transferring to</p> <p>13 active duty the word haji was used again on an</p> <p>14 almost daily basis referring to a wide range</p> <p>15 of subjects.</p> <p>16 Once I joined -- once I was allowed to</p> <p>17 join and passed the training and I was</p> <p>18 selected for First Ranger Battalion the</p> <p>19 training always included the word haji.</p> <p>20 Overseas the details, which were daily</p> <p>21 activities, daily training cycles and</p> <p>22 assignments included everything ranging from</p> <p>23 haji guard to haji detail to general haji</p> <p>24 training. There was haji patrol. Haji was</p> <p>25 used on virtually every subject matter of</p>	<p>1 Q Sure. I'm just trying to get at exactly what</p> <p>2 the term haji means as you understand it.</p> <p>3 A As I understood the term haji it was used to</p> <p>4 describe groups of males overseas and/or</p> <p>5 describe the alpha male or the male in charge.</p> <p>6 Q The alpha male, what is an alpha male?</p> <p>7 A The person in charge.</p> <p>8 Q Where does the term alpha male come from? Is</p> <p>9 that something you were taught as well?</p> <p>10 A It's something that they refer to themselves</p> <p>11 as, the leader of the group.</p> <p>12 Q They refer to -- okay. That's something that</p> <p>13 somebody told you overseas while you were</p> <p>14 deployed?</p> <p>15 A Yes.</p> <p>16 Q All right. And your understanding as to what</p> <p>17 the term haji meant with respect to your</p> <p>18 deployment came from you're saying U.S.</p> <p>19 military?</p> <p>20 A U.S. military members, local indigenous people</p> <p>21 that we worked with.</p> <p>22 Q Okay.</p> <p>23 A Workers on base.</p> <p>24 Q So that's based on what somebody told you?</p> <p>25 A It was based on my conversations with the</p>
Page 38	Page 40
<p>1 every day overseas both between Iraq and</p> <p>2 Afghanistan.</p> <p>3 Q Okay. My understanding is it's a form of</p> <p>4 military slang used to refer to middle eastern</p> <p>5 persons.</p> <p>6 MR. KLEBANOW: Objection.</p> <p>7 Q Is that your understanding?</p> <p>8 A No.</p> <p>9 Q It has some other meaning, the term haji?</p> <p>10 A Yes.</p> <p>11 Q What is that meaning as you understand it?</p> <p>12 A As I understood haji from my training and</p> <p>13 experience of actually being overseas was that</p> <p>14 it was used to describe not only a male who</p> <p>15 has been to Mecca but the leader of any small</p> <p>16 tribal group. The alpha male in any of the</p> <p>17 groups that would generally speak for the</p> <p>18 other males or for Muslim males as a group or</p> <p>19 as a whole.</p> <p>20 Q So it's your understanding that the term haji</p> <p>21 refers to Muslim -- anybody of the Muslim</p> <p>22 faith who is male?</p> <p>23 MR. KLEBANOW: Objection. You can</p> <p>24 answer if you understand the question.</p> <p>25 A Could you rephrase that please?</p>	<p>1 local indigenous people and the members of the</p> <p>2 military.</p> <p>3 Q You understand that words can have different</p> <p>4 meanings in different locales, correct?</p> <p>5 MR. KLEBANOW: Objection.</p> <p>6 A I understand what I was taught and what I've</p> <p>7 been trained.</p> <p>8 Q Okay. Since the time of your incident with</p> <p>9 regard to your text message in this case have</p> <p>10 you done any research or investigation into</p> <p>11 the term haji?</p> <p>12 A Not really, no.</p> <p>13 Q You haven't looked online or looked it up or</p> <p>14 tried to find out what it means in other</p> <p>15 respects?</p> <p>16 A With respect to the Internet I know what I was</p> <p>17 trained with and I don't need the Internet to</p> <p>18 tell me what I was trained and what I was</p> <p>19 taught.</p> <p>20 Q I understand but that's not my question. My</p> <p>21 question was did you go online or do any</p> <p>22 research whatsoever to determine alternate</p> <p>23 meanings of the term haji?</p> <p>24 A Very little.</p> <p>25 Q Okay. What did that involve?</p>

Page 41

1 A Talking to friends and Google.
2 Q Okay. What did you learn from Google or
3 talking to friends about an alternate meaning
4 of the term haji?
5 A That the phrasing I used and what I was taught
6 is accurate and truthful.
7 Q That's not what I -- exactly what I asked you.
8 I asked you about an alternate meaning with
9 respect to, not what -- the way that you
10 believe that you used it.
11 MR. KLEBANOW: Objection. You can
12 answer if you understand the question.
13 A I don't understand the question.
14 Q Did you learn that the term haji could be used
15 as an ethic slur? It's an alternate meaning
16 or alternate usage of the term?
17 A I don't believe that's the meaning of the
18 term.
19 Q Sir, that's not what I asked you. I asked you
20 whether or not you learned that, not what you
21 believe.
22 A It's possible.
23 Q You're aware that that term has different
24 meanings, correct?
25 A I'm aware of what I was taught and what I was

Page 42

1 trained.
2 Q Right. And you're also aware that the term
3 haji has a derogatory component and
4 understanding as to the meaning, correct?
5 MR. KLEBANOW: Objection. You can
6 answer.
7 A No.
8 Q So you've never been told or informed that the
9 term haji has a derogatory or demeaning
10 implication or meaning?
11 MR. KLEBANOW: Objection. You can
12 answer.
13 A Not according to the training and experience
14 that I've had.
15 Q Sir, I'm not asking you with respect to your
16 training and your belief, what I'm asking you
17 is whether or not you've been made aware that
18 the term haji has multiple meanings?
19 A Can you define the meanings?
20 Q Sure. That it can be used as a derogatory
21 term or a slur to refer to certain ethnic
22 persons or persons of the Muslim belief.
23 A That's not my interpretation of the meaning.
24 Q I'm not asking your interpretation. I'm
25 asking you whether or not you've learned that

Page 43

1 that's an alternate meaning?
2 A Learned by whom?
3 Q By you.
4 A I learned myself?
5 Q Has anybody told you that?
6 A Outside of the City of Cleveland?
7 Q Yes.
8 A No.
9 Q And when you went on Google to do research of
10 the term haji it never -- nothing came up on
11 Google indicating that that term has a
12 derogatory meaning as well?
13 A I don't recall.
14 Q You don't recall doing that?
15 A Doing what?
16 Q You don't recall ever -- so it's your belief
17 that that term does not have an ambiguous
18 meaning and could be interpreted in multiple
19 ways?
20 A I believe that's up to interpretation.
21 Q Right, because it can have multiple meanings;
22 can it not?
23 A I don't know.
24 Q Okay. Well, your complaint alleges that it is
25 an ambiguous term with multiple meanings.

Page 44

1 That's why I'm asking you. Do you believe
2 that it has -- it's an ambiguous term with
3 multiple meanings?
4 A I believe so.
5 Q Okay. And what are those multiple meanings?
6 A Well, I cover the bases of the person in
7 charge of indigenous people, a person who has
8 gone to Mecca, and general usage for terms
9 overseas.
10 Q Okay. So despite you filing a lawsuit in this
11 case you don't have any belief or -- strike
12 that.
13 You don't have any understanding of the
14 term haji when used in certain context could
15 be construed to some people as offensive?
16 A I don't believe it is an offensive term.
17 Q I'm not asking you -- sir, if you answer the
18 question I ask we'll get through this a lot
19 quicker. You're not answering the question
20 I'm asking.
21 A I'm doing my best.
22 Q You're saying what you believe. I'm not
23 asking you what you believe. I'm asking
24 whether or not you have knowledge as to
25 whether or not a term has multiple meanings.

Page 45

1 We've gone around about this for about five
2 minutes?
3 A Of a term or what term?
4 Q The term haji, you're aware it has multiple
5 meanings, correct?
6 A Yes.
7 Q And you're aware that some of those meanings
8 are derogatory in nature, correct?
9 A It's possible.
10 Q Yeah. That that's a possible interpretation
11 of that word and meaning, correct?
12 MR. KLEBANOW: Objection. Go ahead.
13 A Yes.
14 Q You're not -- you're not contending that that
15 word has no derogatory implications under any
16 circumstances, do you?
17 A Can you rephrase that please?
18 Q Sure. I'll have the question read back.
19 (Question read.)
20 A I'm sorry. I don't understand that.
21 Q Sure. Are you claiming that the term haji
22 cannot be used in any manner which could be
23 considered derogatory?
24 MR. KLEBANOW: Objection. Go ahead.
25 A No.

Page 46

1 Q You're not claiming that, right?
2 A No.
3 Q You're claiming in certain circumstances that
4 term can be -- can be used in a derogatory
5 manner, correct?
6 A I'm not claiming what someone else can do.
7 Q Sir, I'm just asking whether or not it can
8 occur and whether or not you're aware of that?
9 MR. KLEBANOW: Objection. Go ahead.
10 A Anything can occur. I don't know.
11 Q Right. It's all based on context, correct?
12 MR. KLEBANOW: Objection. Go ahead.
13 A I don't know.
14 Q The meaning of a word is based on context; is
15 it not?
16 MR. KLEBANOW: Objection. Go ahead.
17 A I don't know.
18 Q Okay. Now, with respect to the text message
19 exchange, do you have the text message
20 exchange that's the subject of this lawsuit
21 still presently in your possession?
22 A I don't believe so.
23 Q You deleted it?
24 A I have a new phone.
25 Q So do you still have the old phone?

Page 47

1 A No.
2 Q When did you get rid of that phone?
3 A Approximately a year ago.
4 Q After you had filed the lawsuit?
5 A I believe it was beforehand.
6 Q Where is the -- where is that phone?
7 A Somewhere with Verizon.
8 Q You traded it in?
9 A Yes.
10 Q Okay. Was this after you were brought up on
11 charges?
12 A I don't recall.
13 Q You don't know if it occurred before or after
14 you were brought up on charges for the use of
15 the term?
16 A No.
17 MR. KLEBANOW: Objection. Go ahead.
18 Q When you got rid of your phone containing the
19 text message are you aware of any
20 documentation of the words -- express words of
21 the text message conversation?
22 A I'm sorry, can you ask that again?
23 Q Sure. Are you aware of any documents or
24 information that contains the content of your
25 text message exchange that's the subject of

Page 48

1 this lawsuit?
2 A I don't know.
3 Q Okay. Well, let's -- let's probe your memory.
4 And please tell me what your recollection is
5 that occurred on or about, what was it, April
6 27th of 2017. Can you tell me about the text
7 message exchange that you had?
8 MR. KLEBANOW: You're asking who he
9 was talking to?
10 MR. PIKE: I asked what his
11 recollection of the text message exchange is.
12 MR. KLEBANOW: Go ahead, if you
13 know.
14 MR. PIKE: Which we're here
15 about.
16 Q Sir, you're reading the hearing transcript.
17 I'm asking whether or not you have a
18 recollection of what was discussed on the text
19 message?
20 A I have a rough recollection, yes.
21 Q Why don't you let me know what that is.
22 A It's that I was texted by former Officer Sean
23 Gorman to come to the Hustler Club because
24 there were middle eastern types I think he
25 said causing trouble.

Page 49

1 Q Okay.
2 A I don't recall the exact words.
3 MR. PIKE: Let's mark that.
4 (Defendant's Exhibit E
5 marked for identification.)
6 MR. KLEBANOW: That's E?
7 THE NOTARY: Yes.
8 Q Let me know when you've had a chance to review
9 Exhibit E.
10 A Okay.
11 Q Do you recognize this photograph?
12 A No.
13 Q Do you recognize the content of the text
14 messages depicted within the photograph?
15 A Yes.
16 Q Is this a true and accurate copy of the text
17 message exchange between you and Officer
18 Gorman on the night in question?
19 A I believe so.
20 MR. KLEBANOW: I would just object.
21 Objection. Go ahead though. Continuing
22 objection on this line of questioning
23 regarding this exhibit, but go ahead and
24 answer the question.
25 MR. PIKE: What's the objection?

Page 50

1 MR. KLEBANOW: Again, stating
2 objections and justification is not proper
3 during deposition.
4 MR. PIKE: All objections are
5 reserved except as to form and if I fix the
6 format of the question I'm --
7 MR. KLEBANOW: Objection.
8 MR. PIKE: Jared, I'm entitled
9 to do so and ask about it. Otherwise I'm
10 going to consider your objections waived.
11 MR. KLEBANOW: You can consider it
12 whatever you want. It's not waived. I'm
13 objecting to the line of questioning regarding
14 this exhibit. I'm not instructing him not to
15 answer the question. Go ahead and ask your --
16 MR. PIKE: Your objections are
17 preserved with respect to that.
18 MR. KLEBANOW: Go ahead.
19 Q You can answer. We can have the question read
20 back.
21 A I'm sorry, could you --
22 Q Sure. Is this a true and accurate copy or
23 representation of the text message exchange
24 between you and Gorman on the night in
25 question?

Page 51

1 A Yes.
2 Q Could you please read it into the record?
3 A "Stop down to hustler. Apparently there is
4 some middle eastern types given people a hard
5 time. We are in route."
6 Q And that is from who?
7 A Sean Gorman.
8 Q And what is your response?
9 A "Packing up. Be there soon."
10 Q And then Officer Gorman responds again?
11 A "Take your time. Sorry for bothering you,
12 sir."
13 Q And then your response?
14 A "Never a bother to tune up some haji haha."
15 Q Okay. And then Officer Gorman responds with?
16 A Laugh out loud.
17 Q Well he says LOL?
18 A LOL.
19 MR. KLEBANOW: Hold on. Is ours
20 different than the one you have?
21 MR. PIKE: Let me see.
22 THE WITNESS: It is actually.
23 MR. KLEBANOW: Mine doesn't say
24 haha.
25 MR. AVERY: It is different.

Page 52

1 THE WITNESS: Did it get cut off?
2 MR. KLEBANOW: Is there just one
3 more thing?
4 MR. PIKE: I think so.
5 MR. KLEBANOW: All right. I'm fine.
6 I didn't see that. You're okay. Whatever.
7 It's okay. As long as it's just one word.
8 Q Okay. So it's my understanding that both of
9 you were officers on duty and working at the
10 time of this text message exchange?
11 A I don't know if he was on duty or not. I
12 don't recall.
13 Q Okay. You would defer to others on that?
14 A Yes.
15 Q Why would he go calling and asking for your
16 assistance if he wasn't on duty?
17 MR. KLEBANOW: Objection. You can
18 answer.
19 A I don't know.
20 Q All right. So I want you to assume then
21 Officer Gorman was on duty at that time.
22 Okay. Would you agree with me that this is an
23 official call for police help with regard to a
24 potential police action?
25 MR. KLEBANOW: Objection. You can

Page 53

1 answer.
2 A No.
3 Q He's asking you to respond in your capacity as
4 a police officer, is he not?
5 A Yes.
6 MR. KLEBANOW: Objection.
7 Q So we have a text message asking from one
8 police officer to another police officer
9 requesting assistance with regard to a
10 potential police action, correct?
11 MR. KLEBANOW: Objection. Go ahead.
12 A I don't know.
13 Q Well, he's asking you to come down and help
14 him with respect to some, quote, middle
15 eastern types at the Hustler Club, correct?
16 A Yes.
17 Q And you were on duty and working at the time
18 of this text message exchange, correct?
19 A Yes.
20 Q What's it mean to tune up someone?
21 A To fight.
22 Q Beat him up?
23 A To fight in general.
24 Q To fight, to beat somebody up?
25 MR. KLEBANOW: Objection. Go ahead.

Page 54

1 Q What do you mean by it's never a bother? You
2 don't have a problem doing that?
3 A That I believe my statement to the
4 investigator, which still -- just a moment
5 please.
6 Q Sir, I'm not asking you about your statement.
7 I asked you whether or not never a bother
8 means you don't have a problem beating someone
9 up.
10 A What I meant was that if we have to fight then
11 we have to fight.
12 Q Where does it say if we have to fight in this
13 text message?
14 A It doesn't.
15 Q There is no qualifying language regarding
16 that, is there?
17 A No.
18 Q And, in fact, when you say never, it indicates
19 under no circumstances is it a problem,
20 correct?
21 MR. KLEBANOW: Objection. You can
22 go ahead.
23 A In the context that I was sending it?
24 Q Yes.
25 A No.

Page 55

1 Q Well, somebody else reading this could
2 interpret that to mean that under no
3 circumstances do you have a problem -- a
4 problem beating someone up, correct?
5 MR. KLEBANOW: Objection. Go ahead.
6 A I don't know because I didn't send it to
7 someone else.
8 Q You sent it -- I'm not asking who you sent it
9 to, I'm asking whether or not you think
10 someone could infer from your use of the word
11 never that you didn't have a problem under any
12 circumstances beating someone up; is that
13 fair?
14 MR. KLEBANOW: Objection.
15 A I'm not sure how somebody would interpret it.
16 Q Let's talk about the term never. There is no
17 qualification on the term never, correct?
18 A What do you mean qualification?
19 Q There is no limitation, is there?
20 A I'm sorry, could I finish please?
21 Q Sure.
22 A I'm sorry. I don't know what you mean by
23 qualification of the term never.
24 Q There is no limitation on the term never.
25 Never means never.

Page 56

1 A Okay.
2 Q Correct?
3 A Yes.
4 Q So with respect to your statement that it's
5 never a bother to tune up some haji, there is
6 no limitation as to whether or not it comes to
7 that or under certain circumstances, correct?
8 A If that's -- that is the definition of the
9 word never, yes.
10 Q You don't know what the definition of the term
11 never is?
12 A Yes, I do.
13 Q What does the term never mean to you?
14 A I don't want to argue a dictionary definition
15 that I don't know off the top of my head. I
16 don't want to say something wrong.
17 Q Under all circumstances. That's a definition
18 of never, isn't it?
19 A Sure.
20 Q So you would agree with me that some people
21 could read this text message and indicate that
22 you have, under all circumstances, never had a
23 problem getting into a physical altercation
24 and tuning out some haji, correct?
25 MR. KLEBANOW: Objection. Go ahead.

Page 57

1 A I don't agree with you.
2 Q Okay. How about with the term haha; is that
3 making a joke of the statement?
4 A Yes.
5 Q That you think it's funny that you would get
6 into a fight with some haji?
7 A No.
8 Q You can understand where some people might
9 take it that way, correct?
10 MR. KLEBANOW: Objection. Go ahead.
11 A I can't understand what other people -- I
12 can't -- I don't know the understanding of
13 other people.
14 Q But you appreciate the fact that people can
15 take this statement in a negative light,
16 correct?
17 MR. KLEBANOW: Objection.
18 A I don't know what other people appreciate.
19 Q I mean, were you being factitious when you
20 made this statement?
21 A I was joking with a friend, yes.
22 Q Okay. In response to a call for official
23 police help?
24 MR. KLEBANOW: Objection. Go ahead.
25 A He's not stating anywhere that it's a police

Page 58

1 action or help.
2 Q So one police officer who is on duty calling
3 another police officer requesting assistance
4 in dealing with a potential -- people having a
5 hard time, giving people a hard time at the
6 Hustler Club, you don't think that's a call
7 for police help?
8 MR. KLEBANOW: Objection. Go ahead.
9 A He didn't call.
10 Q You don't think it's a request?
11 A I don't know.
12 Q You don't think he's requesting your
13 assistance at the Hustler Club?
14 A For a police action, I don't know.
15 Q You're on duty, correct?
16 A Correct.
17 Q Yeah. With respect to the disciplinary
18 proceeding that occurred with respect to your
19 use of this phrase and text message along with
20 the October 27th use of force incident and
21 this specification regarding your failure to
22 cover your tattoos, are you aware of whether
23 or not anyone in the Cleveland Division of
24 Police did any investigation with respect to
25 the terminology -- this terminology or these

Page 59

1 other specifications?
2 A I am not, no.
3 Q So you don't have any knowledge as to what, if
4 anything, the Cleveland Division of Police did
5 to either research or investigation the
6 meaning of this term or any of the other
7 allegations in your charging letter, correct?
8 A I have the information that was given to me
9 from the transcripts of the hearing, and I
10 believe at the time it was Detective Clark,
11 Officer Clark. I'm not sure.
12 Q But my question to you is are you aware of any
13 other investigation that was done either into
14 the meaning of the term or the context in
15 which that text message was given that was
16 done by Cleveland Division of Police in the
17 City of Cleveland before your disciplinary
18 hearing?
19 A No, I'm not.
20 Q Okay. So whether or not any investigation
21 into the meaning of the term haji or that the
22 text message never a bother to tune up some
23 haji, haha, you have no understanding as to
24 whether or not any investigation was done by
25 the City, correct?

Page 60

1 A Correct.
2 Q If there was an investigation and the results
3 of that investigation indicated that the term
4 haji, for example, can be used as an ethic
5 slur, you wouldn't dispute that that was the
6 result of their investigation, correct?
7 MR. KLEBANOW: Objection.
8 A I don't know any results or any investigation.
9 Q Okay. I mean, at the hearing and during --
10 well, strike that.
11 At the transcript of the hearing Clark
12 referred to his investigation and his finding
13 with respect to the fact that the term haji
14 can be used as an ethic slur as well, correct?
15 Do you see where that is indicated?
16 A Just a moment, please.
17 Q Sure.
18 A The investigating officer states that on Line
19 24, "Nothing that says that is a good term or
20 is it a bad term. It's kind of a 50/50 thing.
21 You know, my research of the term says that it
22 is something that's used to described as a
23 status symbol for middle eastern men, but it
24 also can be used as a derogatory term for
25 describing them." And that's pretty much the

Page 61

1 gist of the thing.
2 Q So based upon that it's understandable --
3 well, strike that.
4 Based upon that statement that you
5 just read into the record it's -- would you
6 now have an understanding that there was an
7 investigation done into the meaning of the
8 term haji before your disciplinary hearing?
9 A Yes.
10 Q And the results of that investigation
11 indicated that it could be used as a
12 derogatory term, correct?
13 A To me reading this it says that there is
14 ambiguity, as it states. "There's nothing
15 that says it is a good term or it is a bad
16 term. It is kind of a 50/50 thing. You know,
17 my research of the term says it's something
18 that's used to describe as a status symbol for
19 middle eastern men, that can also be used as a
20 derogatory term for describing them as well."
21 My personal interpretation, if you're
22 asking for that, is that he's stating that
23 there is nothing that says -- nothing that
24 says that it is a good term or it is a bad
25 term.

Page 62

1 Q Right. But he says it also can be derogatory,
2 correct?
3 A Correct.
4 Q It could be either way, correct?
5 A Correct.
6 Q Okay. Just so I'm clear, when you received
7 the call for help from Gorman via the text
8 message that we've marked as Exhibit E, did
9 you know whether or not any of the middle
10 eastern types as referenced in the text
11 message had made the hajj?
12 MR. KLEBANOW: Objection. You can
13 answer.
14 A I never received a call from Officer Gorman.
15 Q I said in the text message.
16 A You prefaced that with when I received the
17 call.
18 Q A request. When you received a request to
19 assist Officer Gorman at the Hustler Club to,
20 quote, deal with some middle eastern types
21 that were giving people a hard time did you
22 know if any of those persons had made the
23 hajj?
24 A No.
25 Q Did you know if any of those persons were of

Page 63

1 the Muslim faith?
2 A No.
3 Q Did you know if they were even middle
4 easterners?
5 A No.
6 Q Did you know if they even followed a religion?
7 A No.
8 Q Do you know if they'd even ever been to Saudi
9 Arabia?
10 MR. KLEBANOW: Objection. Go ahead.
11 A No.
12 Q Do you know if they've ever been to Mecca?
13 A No.
14 Q You knew nothing about them, correct?
15 A Correct.
16 Q Did you know if they were the alpha male, as
17 you call it?
18 A Referring to a group or -- I'm sorry. Can you
19 rephrase that?
20 Q Sure. You said the term haji can refer to an
21 alpha male in certain circles. Did you know
22 whether or not any of these gentlemen were
23 the, quote, unquote, alpha male?
24 A No.
25 Q So when you used the term haji it was an

Page 64

1 assumption on your part that they were middle
2 eastern Muslim and made the hajj or not?
3 MR. KLEBANOW: Objection. Go ahead.
4 A He stated they were middle eastern, so that
5 wasn't an assumption. Going off his
6 information.
7 Q All right. Do you refer to all middle eastern
8 persons as haji?
9 A No.
10 Q Besides this text message have you used the
11 term haji to refer to anyone else at the
12 Cleveland Division of Police?
13 A No.
14 Q Have you used it in any other written
15 correspondence to anyone?
16 A Not on duty and not on the job, no.
17 Q So you don't use the term when you're on duty
18 when you come upon a group of people you might
19 believe are of middle eastern descent?
20 A Not immediately, no.
21 Q Have you ever used it or referred to it in
22 police records?
23 A Not in police records, no.
24 Q Have you ever used it in any other written
25 correspondence, whether it be text message or

Page 65	Page 67
<p>1 email?</p> <p>2 A Related to the police?</p> <p>3 Q At any time.</p> <p>4 A Yes.</p> <p>5 Q Okay. When did you do that? Excuse me. When</p> <p>6 did you do that?</p> <p>7 A I don't recall.</p> <p>8 Q Do you have a copy of that text message or</p> <p>9 email?</p> <p>10 A No.</p> <p>11 Q Okay. Your complaint alleges that the</p> <p>12 defendant arbitrarily and capriciously</p> <p>13 determined a word used by you to be</p> <p>14 disparagement without any research or study.</p> <p>15 Do you see that in Paragraph 36?</p> <p>16 A Yes.</p> <p>17 Q Okay. And I think we've gone over this but</p> <p>18 you have no evidence as to whether or not that</p> <p>19 allegation is true or false, correct?</p> <p>20 A Correct.</p> <p>21 Q And, in fact, the hearing at which you were</p> <p>22 present for your disciplinary was indicated by</p> <p>23 Todd Clark that he had done research and</p> <p>24 investigation into the meaning of the term</p> <p>25 haji, correct?</p>	<p>1 MR. KLEBANOW: Objection. Go ahead.</p> <p>2 A That my picture was used with another officer</p> <p>3 with the headlines officer uses N-word.</p> <p>4 Q Okay. Where was that published?</p> <p>5 A Several news media outlets.</p> <p>6 Q And do you know where the origin of the</p> <p>7 photograph that was published by -- I'm</p> <p>8 assuming a newspaper, correct?</p> <p>9 A I don't recall if it was in the newspaper.</p> <p>10 Q So you don't know where the alleged</p> <p>11 publication occurred?</p> <p>12 A It was on numerous media websites.</p> <p>13 Q And do you know the source of where any of</p> <p>14 those unnamed media websites got your</p> <p>15 photograph?</p> <p>16 A No.</p> <p>17 Q So you don't have any evidence that the City</p> <p>18 of Cleveland released your photo or anyone</p> <p>19 else's with respect to the allegations in your</p> <p>20 complaint, correct?</p> <p>21 A Correct.</p> <p>22 Q Can you direct me to any of those websites</p> <p>23 where you claim that your picture was posted</p> <p>24 alongside another officer?</p> <p>25 A Not at the moment, no.</p>
Page 66	Page 68
<p>1 A Yes.</p> <p>2 Q So that's a false allegation; is it not --</p> <p>3 MR. KLEBANOW: Objection.</p> <p>4 Q -- at the time the complaint was filed?</p> <p>5 A I don't know.</p> <p>6 Q Well, it's not true, correct?</p> <p>7 MR. KLEBANOW: Objection. Go ahead.</p> <p>8 A I don't know.</p> <p>9 Q You were present at the hearing where it was</p> <p>10 indicated that he had done investigation and</p> <p>11 research into the term haji before your</p> <p>12 disciplinary hearing, correct?</p> <p>13 MR. KLEBANOW: Objection. Go ahead.</p> <p>14 A Correct.</p> <p>15 Q Do you have any reason to dispute that that</p> <p>16 investigation that Mr. Clark testified about</p> <p>17 doing wasn't performed by him?</p> <p>18 A No.</p> <p>19 Q Next page on Paragraph 37 you make an</p> <p>20 allegation that the City of Cleveland released</p> <p>21 a photograph of you along with a photograph of</p> <p>22 another officer who repeatedly used the,</p> <p>23 quote, unquote, N-word. Do you see that?</p> <p>24 A Yes.</p> <p>25 Q What's the basis of that allegation?</p>	<p>1 Q Do you have copies of those websites where</p> <p>2 your photograph allegedly was published next</p> <p>3 to another officer?</p> <p>4 A I don't possess those, no.</p> <p>5 Q Okay. Do you know when that alleged</p> <p>6 publication occurred?</p> <p>7 A I don't recall the date, no.</p> <p>8 Q Okay. And you don't know what media or news</p> <p>9 outlet that that website was allegedly</p> <p>10 associated with, do you?</p> <p>11 A I don't know the exact website, no.</p> <p>12 Q Well, do you have any information to give me</p> <p>13 with regard to the website or the news</p> <p>14 publication that put that out?</p> <p>15 A No.</p> <p>16 Q Your next -- so you have no evidence as to</p> <p>17 whether or not that allegation is true or</p> <p>18 false with respect to the City of Cleveland,</p> <p>19 correct?</p> <p>20 MR. KLEBANOW: Objection. Go ahead.</p> <p>21 A Which one is that again? I'm sorry.</p> <p>22 Q When you're alleging that it was the City of</p> <p>23 Cleveland that released your photograph.</p> <p>24 A Correct.</p> <p>25 Q You don't have any information or evidence or</p>

Page 69

1 testimony to offer today as to whether or not
2 that allegation is true or false, correct?
3 A Correct.
4 Q Okay. Next paragraph you allege that the
5 intent in releasing the two photographs
6 together was to diminish your standing as a
7 police officer. What's your -- what's your
8 evidence or basis for that belief?
9 I mean, do you believe that? Did you
10 believe that they -- that the City of
11 Cleveland released your photograph with an
12 intent to diminish your standing?
13 A Unequivocally, yes.
14 Q But you don't even know if they released the
15 photograph to begin with, right?
16 A I don't know.
17 Q All right. So despite your belief as to that,
18 what is the evidence that you point to to
19 support your belief?
20 A I don't have anything with me right now.
21 Q Do you have anything anywhere?
22 A I don't know.
23 Q So as you sit here today you are not aware or
24 have knowledge of any evidence of an intent by
25 the City of Cleveland to diminish your

Page 70

1 standing as alleged in Paragraph 38 of your
2 complaint, correct?
3 A I don't know the City's official intent.
4 Q That wasn't my question, sir. My question to
5 you is as you sit here today you don't have
6 any evidence or testimony to offer that would
7 support your allegation in Paragraph 38 of the
8 complaint that it was the intent of the City
9 of Cleveland in allegedly releasing a
10 photograph to diminish your standing as a
11 police officer; is that a true statement?
12 A Yes.
13 Q In Paragraph 40 you indicate that the use of
14 the N-word is unambiguously and universally
15 accepted as disparaging. Is your position
16 then that that word should never be used by an
17 officer?
18 A Absolutely.
19 Q And that any use by the officer, whether on or
20 off duty, would be subject to disciplinary
21 proceedings?
22 A I can't argue for someone's off duty conduct
23 but that absolutely should never be a word
24 used by a police officer on duty.
25 Q Okay. So you draw a distinction between

Page 71

1 whether or not someone is on duty or off duty
2 as to whether or not they would be disciplined
3 with respect to using that word, correct?
4 A I don't know.
5 Q I think that's what you just testified to,
6 that you don't have an opinion as to whether
7 or not they should be disciplined whether they
8 were off duty, correct; but they should never
9 use it while on duty?
10 A The word should never be used.
11 Q My question to you was was it your belief and
12 opinion that they should be disciplined for
13 using the N-word while off duty?
14 A I don't know. I don't make the rules.
15 Q No, I'm asking you whether or not -- what your
16 opinion is on the subject cuz you made an
17 allegation in the complaint regarding it. I'm
18 just asking what your opinion is.
19 A I'm sorry, I need you to rephrase the
20 question, exactly what it is.
21 Q Sure. If a police officer were to use the
22 N-word off duty under any circumstances is it
23 your understand -- is it your belief that they
24 should be disciplined for that?
25 A I don't know.

Page 72

1 Q You don't have an opinion one way or another?
2 A Just based on that, I don't know. My opinion
3 is that it's an absolutely terrible word to
4 use that and it should never be used, but as
5 far as the discipline goes I can't argue what
6 discipline the City should be giving to
7 people.
8 Q Okay. You've alleged a First Amendment
9 freedom of speech claim in this case saying
10 that you have the right to use a word such as
11 haji and to not be disciplined for doing so in
12 the context of the text message that we've
13 just read, correct?
14 A Correct.
15 Q Okay. So if someone were to have used the
16 word -- the N-word while -- during the -- in
17 the employment of the City of Cleveland as --
18 and on duty as a police officer it's your
19 belief they should be disciplined for that,
20 correct?
21 A If a police officer uses that word in the
22 course of his duty, absolutely.
23 Q Okay. How about if he's off duty, should he
24 be disciplined for that, for the statement,
25 the mere statement of the word -- of the

Page 73

1 N-word; should he be disciplined for it?

2 A I don't know.

3 Q So you have no objection as to whether or not

4 the person is or is not disciplined for using

5 the N-word while off duty?

6 MR. KLEBANOW: Objection. Go ahead.

7 A I don't know how the discipline and how things

8 can affect off duty and on duty so I don't

9 know.

10 Q I'm asking you your opinion, sir. I'm asking

11 your opinion as to whether or not someone

12 should be disciplined by the City of Cleveland

13 for a word or a phrase that is used while they

14 are not on duty.

15 A My opinion is that I don't know.

16 Q You would defer to the City of Cleveland then

17 with respect to that --

18 MR. KLEBANOW: Objection.

19 Q -- since you don't have an opinion on it?

20 MR. KLEBANOW: Objection.

21 A My opinion stands that I don't -- I don't

22 know.

23 Q So you have no opinion as to what, if any,

24 discipline should be imposed upon an officer

25 who uses the N-word while off duty; is that a

Page 74

1 fair statement of your position?

2 A Yes.

3 Q You don't have a position one way or another,

4 right?

5 MR. KLEBANOW: Objection.

6 A I believe you're putting words in my mouth

7 with that statement so I don't agree with

8 that.

9 Q I'm not. You're not offering an opinion.

10 That's what I'm asking you.

11 MR. KLEBANOW: He's answered the

12 question.

13 Q You have no opinion either way as to whether

14 or not an officer who is off duty and uses the

15 N-word should be disciplined?

16 A I don't know because that's -- there is too

17 many different situations. I don't know.

18 Q I'm not asking your opinion, I'm asking

19 whether or not I'm stating your position

20 correctly. Do you understand that? I'm

21 asking whether or not I'm correctly stating

22 your opinion on that issue whether or not --

23 and correct me if I'm wrong with this

24 statement, but it's your opinion that you have

25 no position one way or another whether or not

Page 75

1 an off-duty officer that uses the N-word

2 should be disciplined; is that a true

3 statement of your position?

4 A Yes.

5 Q Okay. In Paragraph 44 you allege that, "The

6 singular use of a word used by Plaintiff Aaron

7 Petitt" -- in this case the term haji -- "In

8 responding to civil disobedience by apparently

9 Arab-American men as the Hustler strip club is

10 not disparaging." What do you mean by civil

11 disobedience?

12 MR. KLEBANOW: Objection. Go ahead.

13 MR. PIKE: It's his complaint.

14 I'm just asking.

15 MR. KLEBANOW: He can answer.

16 A Possibly a civil issue.

17 Q What do you mean by civil disobedience? Is

18 that something that police could respond to?

19 A If we're called to.

20 Q Okay. And in Paragraph 45, the next page, I

21 think I've covered this. You have no

22 evidence -- well, strike that.

23 What's your -- what's your evidence or

24 belief that the City of Cleveland linked you

25 with any other officer with respect to your

Page 76

1 conduct?

2 A I'm sorry, could you repeat that?

3 Q Sure. In Paragraph 45 you allege that, "In

4 order to cause embarrassment and reputational

5 damages, City of Cleveland linked plaintiff,

6 Aaron Petitt with the other officer." Do you

7 see that?

8 A Yes.

9 Q Who is the other officer you're talking about?

10 A Detective Kraynik.

11 Q What is your evidence that the City of

12 Cleveland did anything to link the two of you

13 together?

14 A We were assigned the same classes as

15 punishment following -- it was following the

16 hearings.

17 Q Okay.

18 A We were -- had hearings on the same day, same

19 time. We were all linked together by the

20 start of the case from Officer Gorman's phone

21 itself.

22 Q Well, that's not -- that's the facts of the

23 case that link the two of you, correct?

24 A Correct.

25 Q I mean, the three of you text messaged

Page 77

1 together, correct?
2 A No.
3 Q Well, you text messaged somebody who was
4 Officer Gorman and then Gorman texted Kraynik
5 on occasion, correct?
6 A I believe so, yes.
7 Q So you both had Officer Gorman's cell phone in
8 common, correct?
9 A Correct.
10 Q That link is a link that you draw based on the
11 facts of the case, correct?
12 A Correct.
13 Q At any time are you aware of any publication
14 that was put out by the City of Cleveland
15 saying that the two of you were linked
16 together for any reason?
17 A No.
18 Q And so I'm clear, you don't have any evidence
19 to support the allegation that this link that
20 you claim occurred was to embarrass or damage
21 your reputation; is that true?
22 A Correct.
23 Q And just so I'm clear, the only other reasons
24 you think the two of you were linked is
25 because you had disciplinary hearings on the

Page 78

1 same day?
2 A No. And we were both sent to the same
3 sensitivity training I believe it was.
4 Q Are they required to hold separate sensitivity
5 trainings if they impose similar discipline
6 upon numerous officers?
7 A I don't believe so.
8 Q Okay. And that's happened in the past, has it
9 not, where officers get assigned to
10 sensitivity training for unrelated matters,
11 correct?
12 A I don't know.
13 Q You would have no reason to dispute that, do
14 you?
15 A I have never dealt with it before so I don't
16 know.
17 Q Okay. You're not alleging that you should
18 have separate sensitivity training for every
19 officer that has to undergo it pursuant to a
20 disciplinary proceeding, correct?
21 A No.
22 Q I mean, it's acceptable under the terms of the
23 agreement and the general police orders to
24 have everyone who is ordered to attend
25 sensitivity training to do so together,

Page 79

1 correct?
2 MR. KLEBANOW: Objection. Go ahead.
3 A I don't know.
4 Q All right. With respect to the disciplinary
5 hearings occurring on the same day, that's
6 commonplace; is it not?
7 A I'm not sure.
8 Q Well, you've been through several disciplinary
9 proceedings; have you not?
10 A Two that I recall.
11 Q And there were other disciplinary hearings
12 that were conducted on the same day, correct?
13 A Correct.
14 Q And in your ten years of being on the
15 Cleveland Division of Police you're aware of
16 other people that have attended disciplinary
17 hearings, correct?
18 A Correct.
19 Q And they schedule multiple hearings on those
20 days; do they not?
21 A I don't know.
22 Q So there is nothing out of the ordinary as far
23 as you know that the two of you were -- had
24 disciplinary hearings on the same day, right?
25 A I don't know.

Page 80

1 Q And then just so I'm clear, was this other
2 officer at your disciplinary hearing?
3 A Can you rephrase that?
4 Q Sure. You had a separate disciplinary
5 hearing, correct?
6 A Yes.
7 Q If you look at the hearing transcript nowhere
8 does this Officer Kraynik or Gorman appear as
9 an attendee, correct?
10 A Correct.
11 Q In fact, neither one of them were there, were
12 they?
13 A No.
14 Q So you had a separate hearing and these other
15 officers had separate hearings, correct?
16 A Correct.
17 Q With respect to your -- the October 2017
18 incident that you were found guilty of charges
19 on, do you dispute that you didn't have your
20 tattoos covered pursuant to Cleveland Division
21 of Police policy and orders?
22 A No.
23 Q You're supposed to have them covered, right?
24 A Correct.
25 Q You had them covered at roll call, correct?

Page 81

1 A Correct.
2 Q And then you took them off later that day?
3 A Yes.
4 Q Against police orders?
5 A Yes.
6 Q So you're not disputing that that's a valid
7 charge and that the finding of guilt against
8 you well founded, correct?
9 A Correct.
10 Q With respect to the incident, it's the same
11 day of the incident where you were found
12 guilty of failing to use proper de-escalation
13 techniques. Do you recall that traffic stop?
14 A I do.
15 Q With respect to that traffic stop, as a result
16 of you having to physically restrain the
17 suspect it's my understanding you suffered an
18 injury, correct?
19 A Correct.
20 Q Did you miss any work -- time at work because
21 of that injury?
22 A Yes.
23 Q How much?
24 A About 90 days.
25 Q So you were off work for three months with

Page 82

1 respect to the actions you took on October 27,
2 2017, correct?
3 A Correct.
4 Q Okay. And it was the opinion of the Cleveland
5 Division of Police that that could have been
6 avoided had you followed proper de-escalation
7 techniques, correct?
8 A Correct.
9 Q And obviously had you not had to use physical
10 force you would not have been injured with
11 respect to subduing that suspect, correct?
12 A Correct.
13 Q What was the injury you suffered?
14 A It was a small tear above my groin and lower
15 abdomen.
16 Q Is it like a hernia?
17 A It mimicked -- I don't want to quote medical
18 that I don't know.
19 Q I got it. All right. Yeah.
20 And you didn't dispute the charges with
21 respect to your failure to use
22 de-escalation -- proper de-escalation
23 techniques at your disciplinary hearing,
24 correct?
25 A Correct.

Page 83

1 Q So you offered no evidence in opposition of
2 the allegations and charges against you with
3 respect to that specification, correct?
4 A Correct.
5 Q Okay. All right. With respect to -- taking a
6 look at Exhibit C, which is the May 10, 2018
7 letter notifying you of your six day
8 suspension. Take a look at that.
9 A Just a moment please.
10 Q Sure.
11 A Okay.
12 Q First -- last full paragraph on the second
13 page, it indicates that, "I have accepted the
14 recommendation of the Hearing Officer and I
15 find there is just cause to impose discipline.
16 As such, I find you guilty of the
17 administrative charges and I am issuing you a
18 six work day suspension" -- paren, "Group II
19 offense, first offense, mitigating factors; no
20 active discipline," correct? Did I read that
21 correctly?
22 A Correct.
23 Q Do you know what the minimum disciplinary
24 discipline imposed for a Group II offense is?
25 A No.

Page 84

1 Q Do you have any reason to dispute that it's
2 six days?
3 A No.
4 Q Are you aware of the general police orders?
5 Do you know what those are?
6 A Yes.
7 Q And as a police officer you're required to be
8 both familiar with them and have an
9 understanding of them, correct?
10 A Correct.
11 Q And you're expected to follow them as well?
12 A Correct.
13 MR. PIKE: Mark this please.
14 (Defendant's Exhibit F
15 marked for identification.)
16 Q I know it's long. If you want to take a look
17 through it you can, or please do. The last
18 four pages of it contain a table of
19 discipline. I'm going to direct your
20 attention to that.
21 A Okay.
22 Q Feel free to look through it if you think you
23 need to. I meant the remainder. You can look
24 through the remainder if you want to.
25 Have you ever seen this before?

Page 85	Page 87
<p>1 A Yes.</p> <p>2 Q Okay. And what's your understanding of what</p> <p>3 this table of discipline is?</p> <p>4 A That it's a discipline matrix for offenses</p> <p>5 versus the amount of time that they can give</p> <p>6 you, the amount of time you'd be suspended and</p> <p>7 the different varying factors that they</p> <p>8 supposedly weigh into it.</p> <p>9 Q All right. It provides you as a police</p> <p>10 officer an understanding as to what discipline</p> <p>11 you would face for a particular group of</p> <p>12 offenses, correct?</p> <p>13 A Correct.</p> <p>14 Q There is three group offenses, Group I, Group</p> <p>15 II and Group III, correct?</p> <p>16 A Correct.</p> <p>17 Q Group I is the least serious and Group III is</p> <p>18 the most, right?</p> <p>19 A Correct.</p> <p>20 Q And based upon the charging -- both the</p> <p>21 charging letter as well as the May 10th</p> <p>22 disciplinary letter is it your understanding</p> <p>23 that you were charged with Group II offenses?</p> <p>24 A Yes.</p> <p>25 Q And under the matrix of which you were aware</p>	<p>1 Q So irrespective of whether or not you were</p> <p>2 found guilty of making disparaging comments</p> <p>3 you're defining that you failed to use proper</p> <p>4 de-escalation techniques as a Group II offense</p> <p>5 would have resulted in you receiving a minimum</p> <p>6 six day suspension without pay, correct?</p> <p>7 A Correct.</p> <p>8 Q The allegations in your complaint indicate</p> <p>9 that -- or I should say allege that you were</p> <p>10 not given any notice regarding the use of a</p> <p>11 singular word of ambiguous meaning that would</p> <p>12 result in punishment, correct?</p> <p>13 A Correct.</p> <p>14 Q Isn't there a policy, a general police order</p> <p>15 in place that indicates the use of any</p> <p>16 disparaging terms can result in discipline?</p> <p>17 A I don't recall the exact verbiage of the</p> <p>18 policy.</p> <p>19 Q But you're aware that you can be disciplined</p> <p>20 if you use language or engage in contact</p> <p>21 that's disparaging, demeaning, things of that</p> <p>22 nature?</p> <p>23 A Yes.</p> <p>24 Q I believe -- with respect to your charging</p> <p>25 letter that's <u>Exhibit B</u>, if you want to take a</p>
Page 86	Page 88
<p>1 is it fair to say that now has it refreshed</p> <p>2 your recollection with regard to the range of</p> <p>3 discipline that could be imposed for Group II</p> <p>4 offenses?</p> <p>5 A Yes.</p> <p>6 Q And what's the -- under the terms of this</p> <p>7 table of discipline what is the minimum group</p> <p>8 discipline that can be imposed under a Group</p> <p>9 II offense?</p> <p>10 A It states six to seven day suspension without</p> <p>11 pay.</p> <p>12 Q Okay. And so I'm clear, you were charged with</p> <p>13 multiple violations with regard to your</p> <p>14 disciplinary hearing, correct?</p> <p>15 A Correct.</p> <p>16 Q At least two Group II offenses?</p> <p>17 A Correct.</p> <p>18 Q And you were found guilty of both those Group</p> <p>19 II offenses?</p> <p>20 A Correct.</p> <p>21 Q Is it fair to say that being found guilty of</p> <p>22 either one of those Group II offenses would</p> <p>23 have imposed upon you a minimum of six day</p> <p>24 suspension without pay?</p> <p>25 A Yes.</p>	<p>1 look at that. I'll direct your attention to</p> <p>2 Page 3. Under the values mission statement of</p> <p>3 the Cleveland Division of Police.</p> <p>4 A Okay.</p> <p>5 Q Okay. Do you see where it says respect?</p> <p>6 A Yes.</p> <p>7 Q Okay. And tell me if I read this wrong, but,</p> <p>8 "We will treat all people with dignity,</p> <p>9 compassion, courtesy and without prejudice,"</p> <p>10 correct?</p> <p>11 A Correct.</p> <p>12 Q Did I read that correctly?</p> <p>13 A Yes.</p> <p>14 Q Okay. With respect to your text message that</p> <p>15 we're here today about, do you think that</p> <p>16 indicating that you've got no problem tuning</p> <p>17 up some haji haha is treating those persons or</p> <p>18 referring to those persons with dignity,</p> <p>19 compassion, courtesy and respect?</p> <p>20 A I never interacted with anybody.</p> <p>21 Q Do you think that your comment with respect to</p> <p>22 those persons was respectful?</p> <p>23 A I'm not sure.</p> <p>24 Q You don't believe it's somewhat disrespectful</p> <p>25 to indicate that you have no problem tuning</p>

Page 89

1 them up without even meeting or talking to
2 them?
3 A In a conversation with my friend the way that
4 we were speaking, it's the same way I would
5 speak to someone else.
6 Q You wouldn't make that comment to them
7 directly, would you?
8 A No.
9 Q Okay. And it's my understanding during your
10 Garrity interview you felt like -- you stated
11 that you felt like an idiot for making the
12 statement. Is that a fair representation?
13 A It is.
14 Q And you still feel that way today?
15 A I do.
16 Q How about with respect to the integrity
17 portion? "We hold ourselves accountable to
18 the highest standards of moral and ethical
19 conduct, we maintain public trust by being
20 honest, competent and consistent with our
21 values and action." Do you think that your
22 text message with respect to that encounter is
23 of the highest standards of moral and ethical
24 conduct?
25 A Yes.

Page 90

1 Q You don't think that there is anything
2 disparaging or defamatory about the way that
3 you used that term in referring to these
4 middle eastern types?
5 MR. KLEBANOW: Objection. Go ahead.
6 A No.
7 Q Okay. If for some reason you were a party to
8 a conversation that used disparaging terms and
9 comments would you correct that person?
10 A I don't know.
11 Q Would you indicate that that type of language
12 was unacceptable?
13 A I don't know.
14 Q Have you been -- strike that.
15 Moving to the next page under
16 procedures, Roman numeral I, do you see where
17 it says, "Not engaging in any conduct, speech
18 or acts while on or off duty, which would
19 reasonably tend to diminish the esteem of the
20 Division of Police or its personnel in the
21 eyes of the public"? Do you see where I read
22 that?
23 A I do.
24 Q Can you appreciate where -- from the content
25 and context of your text message we're here

Page 91

1 today would reasonably diminish the esteem of
2 the police by some persons?
3 A No.
4 Q Are you aware of anybody expressing an opinion
5 that -- outside the City of Cleveland that has
6 an issue with the context of your text
7 message?
8 MR. KLEBANOW: Objection. Go ahead.
9 A I don't know.
10 Q No one has expressed to you an opinion that
11 they find your text message to be derogatory
12 or demeaning?
13 A To me personally, no.
14 Q Okay. Do you think that -- go ahead. I'm
15 sorry. I didn't mean to cut you off.
16 A I was actually going to ask do you mind if I
17 grab some more water and use the bathroom
18 again?
19 Q No.
20 VIDEO TECHNICIAN: We're off the record
21 as 11:37.
22 (Short recess.)
23 VIDEO TECHNICIAN: We're back on the
24 record at 11:50.
25 By Mr. Pike:

Page 92

1 Q Sir, you've indicated that -- strike that.
2 With respect to the investigation or
3 your disciplinary hearing with respect to the
4 charges we've been talking about, do you think
5 the City of Cleveland should have done
6 something differently than what they did?
7 A Yes.
8 Q What? I realize you don't agree with the
9 outcome and opinion as to the conclusions they
10 made, but with respect to the process they
11 went through before the hearing, do you have
12 anything that you think they should have done
13 differently?
14 A I believe they should have followed the facts
15 that were discovered by Investigator Clark
16 that determined that, as he stated, it was
17 kind of a 50/50 thing and --
18 Q It can go either way, right?
19 A Correct.
20 Q All right. So putting aside they decided
21 that -- the City decided to side all on the
22 side that they believed that the term as used
23 in your -- or I should say the phrase as used
24 via your text message was derogatory or
25 demeaning -- sorry, disparaging. There is a

Page 93

1 lot of D's. So it was disparaging. Putting
2 aside their opinion that they fell on the
3 other side of what your opinion was on how
4 that term was used, is there anything about
5 the way they conducted the process beforehand
6 that you think should have been done
7 differently?
8 A I'm sorry. Not that I know of.
9 Q I mean, they did -- we've talked about it a
10 little today, and Mr. Clark indicates in the
11 hearing that he did do an investigation and
12 the results were -- according to him it can go
13 either way, depending on, you know, how you
14 see the text message, correct? I'm
15 paraphrasing, sir. I don't mean to say word
16 for word. It's 50/50, right?
17 A Correct.
18 Q All right. I mean, they did put you on notice
19 as to what they were charging. They did put
20 you on notice as to what they were charging
21 you with, right?
22 A Yes.
23 Q All right. And they -- they did give you an
24 opportunity to respond to those charges,
25 right?

Page 94

1 A Yes.
2 Q The provisions and the rules by which they
3 were going to impose discipline were spelled
4 out for you in the charging letter, right?
5 A Yes.
6 Q And you had prior notice of those rules and
7 regulations, right?
8 A Yes.
9 Q You were aware that, you know, using, you
10 know, disparaging terms and under the rules
11 that are cited in your charging letter could
12 result in discipline against you, correct?
13 A Yes.
14 Q You weren't surprised about that, were you?
15 A Yes.
16 Q I mean, not with respect to how the discipline
17 was imposed but you -- I mean, you had prior
18 understanding that in the event the Division
19 of Police found the terms or words or phrases
20 that an officer used while on duty were
21 disparaging that discipline could be imposed,
22 correct?
23 MR. KLEBANOW: Objection. Go ahead.
24 A Yes.
25 Q I mean, that's in the rules. It's in black

Page 95

1 and white, correct?
2 A Correct.
3 Q All right. Is there anything about the
4 wording or terminology used in the rules
5 themselves that you take issue with? You can
6 take a look at your Exhibit C. And that's the
7 charging -- I'm sorry. Exhibit B is the
8 charging letter.
9 A Not that I recall off the top of my head.
10 Q Okay. As far as you know they followed the
11 rule -- the City of Cleveland followed the
12 rules and the process and procedure of which
13 you were aware with regard to the discipline
14 imposed, correct?
15 A Correct.
16 Q Is there anything about the process by which
17 the disciplinary hearings and the discipline
18 was imposed that you feel is either arbitrary
19 or capricious?
20 A Can you define capricious please?
21 Q Well, I don't know that I can do that for you.
22 What's your understanding of capricious?
23 A None.
24 Q All right. How about arbitrary?
25 A I understand the definition of arbitrary.

Page 96

1 Q How about capricious having like no basis?
2 A Okay.
3 Q Okay. You understand the basis for the
4 charges that were lodged against you, correct?
5 A Yes.
6 Q You don't agree with the outcome but you can
7 appreciate that the basis for which they
8 imposed discipline was spelled out to you well
9 in advance of your hearing, correct?
10 A I understand what is being stated and I
11 understand the charges. I don't agree with
12 them but I understand what they say and what
13 they are.
14 Q Okay. How about with respect to -- there is
15 an allegation that you were treated more
16 harshly or severely than others. Do you have
17 any evidence or testimony to offer with
18 respect to those allegations?
19 A Not at the moment, no.
20 Q Okay. So you don't -- with respect to this
21 other officer who may have used the N-word
22 while off duty, you don't know any of the
23 particular facts or circumstances surrounding
24 any of the discipline imposed upon him,
25 correct?

Page 97

1 A Not right now, no.
2 Q And do you have any opinion one way or another
3 whether or not he should have received
4 discipline?
5 A No.
6 Q Have you ever had any conversations outside
7 the presence of counsel with any member of the
8 CPPA?
9 A Yes.
10 Q How about have you ever had any of those
11 conversations -- again, this is always going
12 to be without counsel present, okay? I don't
13 want you to testify about anything that you
14 may have discussed with counsel present, okay?
15 A Okay.
16 Q You understand. So I don't have to keep
17 giving you that qualifier, okay?
18 MR. KLEBANOW: Do you understand
19 that, Aaron? If anything has to do with
20 conversations you've had with your attorneys,
21 that's not what he's asking you. This does not
22 include --
23 A Can I ask a question? Does this include if
24 the union's attorney was in the room as well?
25 MR. KLEBANOW: That would be

Page 98

1 counsel, yes.
2 A Yes, so --
3 MR. PIKE: That raises an
4 interesting point. Are you both representing
5 CPPA in this lawsuit?
6 MR. KLEBANOW: Yes.
7 MR. AVERY: Yes.
8 Q Okay. So yeah.
9 MR. KLEBANOW: I answered yes. If
10 your attorneys were present -- your attorneys
11 representing you in any capacity were present,
12 that's not what he's asking. He's asking for
13 -- I mean, correct me if I'm wrong.
14 MR. PIKE: No.
15 MR. KLEBANOW: He's asking for
16 questions --
17 MR. PIKE: I don't want to run
18 afoul.
19 MR. KLEBANOW: -- if the attorneys
20 were not present. So if you had a
21 conversation with another member of CPPA that
22 was not an attorney and no attorneys were
23 present representing you.
24 MR. AVERY: Joe was present.
25 MR. KLEBANOW: Right, if your

Page 99

1 attorney for CPPA.
2 THE WITNESS: That was my question.
3 MR. KLEBANOW: Those don't count.
4 He's asking you outside of that. Unless I'm
5 wrong.
6 Q Let me ask it this way.
7 MR. KLEBANOW: Go ahead. Yeah.
8 Q I'll try to walk through it so that we're
9 clear on it.
10 Did you have any meetings regarding
11 your discipline and the text message that your
12 lawsuit is pertaining to with anyone from
13 CPPA?
14 A Not without counsel. I don't recall --
15 Q Okay.
16 A -- every meeting.
17 Q All right. Did you have any discussions with
18 any member of the CPPA outside the presence of
19 counsel where the text message or the
20 allegations in your complaint or your
21 disciplinary proceedings were discussed?
22 A Yes.
23 Q Okay. When did that discussion occur?
24 A Shortly after I received the charge back or
25 the list of information, whatever you call it.

Page 100

1 Q Who did you have -- was it a meeting or a
2 conversation?
3 A A conversation.
4 Q Over the phone?
5 A Yes.
6 Q Okay. Who did you have a conversation with?
7 A I believe it was Officer Medina, a member of
8 the CPPA.
9 Q What is his position, if you know, with the
10 CPPA?
11 A I don't recall his exact position with the
12 CPPA.
13 Q Okay. What was the content of the discussion,
14 if you recall?
15 A He's an instructor for use of force and a
16 subject matter expert and the conversation was
17 related to Specification 2.
18 Q Okay.
19 A Which relates to the de-escalation.
20 Q Okay. Any other discussions with anyone from
21 CPPA regarding either, you know, this lawsuit
22 or the allegations in your complaint or the
23 text message exchange --
24 A I've spoken --
25 Q -- outside of counsel?

Page 101

1 A When I initially received the charge packet I
2 know for a fact I called Jeff Follmer, our
3 union president.
4 Q Okay. All right. Do you remember what you
5 discussed with Mr. Follmer?
6 A Not exactly.
7 Q Did you express -- did you tell him what the
8 context of the text message was?
9 A Yes.
10 Q Did he express his displeasure with the
11 context of the text message?
12 A I don't recall the conversation.
13 Q Did he condone the use of the phraseology in
14 your text message?
15 MR. KLEBANOW: Objection. Go ahead.
16 A I don't recall the conversation.
17 Q Did you have any other conversations besides
18 the one with Officer Medina and Mr. Follmer?
19 A Not that I recall.
20 Q Okay. It's my understanding that you -- you
21 appealed the decision regarding your
22 discipline to -- with respect to -- pursuant
23 to the terms of the CBA, correct?
24 A Correct.
25 Q And that process has yet to be concluded,

Page 102

1 correct?
2 A Correct.
3 Q It's still in process?
4 A Yes.
5 Q Okay. What phase are you at now, if you know?
6 A I don't know.
7 Q Okay. You filed an appeal, correct?
8 A Yes.
9 Q Did you receive the results of that appeal?
10 A Pardon?
11 Q Did you receive the results of your appeal?
12 A No.
13 Q Are you aware whether or not your appeal was
14 -- was denied?
15 A I believe we're currently waiting on
16 arbitration.
17 Q Are you aware that it's a several step process
18 before you get to arbitration?
19 A I'm not familiar with the process.
20 Q Fair enough. Did you attend any hearings or
21 meetings regarding the appellate process
22 regarding the disciplinary proceedings?
23 A No.
24 MR. KLEBANOW: Objection. Go ahead.
25 THE WITNESS: Sorry.

Page 103

1 Q In this case there is an allegation that you
2 lost wages or that you're going to lose future
3 lost wages somehow. Can you explain the basis
4 for that allegation or why you believe that to
5 be the case?
6 A From the moment that the charges were put on
7 the news and my face was all over with officer
8 using an N-word. My partner and I oftentimes
9 patrol on foot in the east bank and around the
10 downtown area, engage with community members,
11 and while just walking around talking to
12 people I had members of the community come up
13 to me and recognize me from the news as the
14 officer and the N-word. I've had numerous
15 people say oh, that's the police officer that
16 used the N-word. That's the racist.
17 I've been at a family party at my
18 parents' house where family members, you know,
19 had to come to my family and say hey, you
20 know, I saw Aaron on TV. I can't believe he'd
21 say these things, the N-word. He's racist.
22 And my own father and family members have to
23 defend me against my family.
24 I've had people that I worked with from
25 all over when I was looking into other jobs

Page 104

1 say just Google and you're everywhere with
2 officer uses N-word. It's racist police
3 officer Aaron Petitt. And the Internet is
4 forever. And everywhere I turn, every time I
5 try to look for something on myself, any
6 search engine, any search results shows
7 something that I'm not and that I had nothing
8 to do with. And I feel like that has done
9 more damage to me than the six day suspension,
10 than any suspension ever could; that for the
11 rest of my life that's me associated with the
12 racism and the N-word, and that no matter how
13 hard I try, no matter where I go or try to go
14 that's just always there.
15 Q Has anyone associated with the City of
16 Cleveland ever accused you of using the
17 N-word?
18 A No.
19 Q In fact, has any of the media articles that
20 you refer to, they don't allege that you used
21 the N-word, do they?
22 A Before the other parts of the case were
23 released, some of them did, yes.
24 Q That's a mistaken statement, isn't it?
25 A Yes.

Page 105

1 Q Have you ever sought a retraction or redaction
2 by those particular agencies for making that
3 mistake?
4 A No.
5 Q Do you think that the City of Cleveland had
6 anything to do with those agencies making that
7 mistake?
8 A Yes.
9 Q What do you think the City did that caused
10 them to make that mistake?
11 A Well, one specific incident would be when I
12 left the hearing with Officer Follmer present,
13 and media outlets had already had the
14 information of exactly what happened in the
15 hearing, and it was only myself, the union
16 members and other members of the City inside
17 the hearing and news media outlets were
18 already calling the president of CPPA, and I
19 had been in company with my representation
20 since the hearing, in a matter of three to
21 five minutes since the hearing concluded.
22 Q Okay. So there is -- do you know where the
23 source of that information came from that
24 these -- well, let's start with this: Do you
25 know who made those phone calls?

Page 106

1 A I do not.
2 Q Do you know what was said on those phone
3 calls?
4 A I do not.
5 Q Is there anything else besides these phone
6 calls from people who you don't know who made
7 the calls, you weren't a party to, that you
8 believe that the City of Cleveland had
9 anything to do with the mistaken allegation
10 and news publications that associated you with
11 the N-word?
12 A No.
13 Q Do you know which news publications made those
14 false statements?
15 A I don't recall off the top of my head.
16 Q Do you have copies of any of those false
17 statements or allegations?
18 A No.
19 Q Do you know what websites they were from?
20 A Not directly off the top of my head, no.
21 Q Are you aware of any of those news
22 publications who you don't know the identity
23 of, whether or not they ever filed a
24 retraction?
25 A I don't know.

Page 107

1 Q You don't know what the source of the
2 information for the -- actually the source of
3 the misinformation with respect to your
4 association with the N-word?
5 A No.
6 Q So your concern is your association --
7 improper association with the N-word; is
8 that -- is that a fair characterization?
9 A It's a partial characterization, yes.
10 Q Well, I haven't heard anything else besides
11 issues you believe you had to deal with as a
12 result of news outlets mistakenly associating
13 you with the N-word. Is there anything else
14 that I'm missing?
15 A In regard to what? I'm sorry.
16 Q In regards to how you feel that, you know,
17 your either reputation or your future job
18 opportunities have been affected?
19 A It's -- it's hard to quantify or describe how
20 people looked at you -- how people looked at
21 me differently at work. It's hard to -- it's
22 hard to give a description or an attribute to
23 how people -- certain people, especially other
24 officers, other maybe African American or
25 officers of other race simply see that an

Page 108

1 officer was charged with disparaging or
2 demeaning or various other D words all regard
3 -- all relating to race.
4 Q Okay.
5 A And you walk down the halls and officers that
6 used to say hello to you, ask you how you were
7 just don't anymore. They just don't make eye
8 contact. That people you've known for years
9 just all of a sudden one day decide that
10 nothing more than a nod instead of a
11 conversation. It's not -- it's not something
12 to -- I don't know how to properly quantify I
13 guess.
14 Q Have -- as far as who are these officers
15 you're claiming that treat you differently?
16 A People around the city. People around the
17 district.
18 Q Who?
19 A I don't know names directly.
20 Q So you don't know the names of any of these
21 people that you claim are now treating you
22 differently after these allegations of the
23 disciplinary process surfaced?
24 A I wouldn't argue so much that I'm receiving
25 poor treatment or anything like that from

Page 109

1 them, just it feels different to me being
2 around them.
3 Q Who? Who makes you feel that way?
4 A After the case, everyone.
5 Q Every member of the Cleveland Division of
6 Police makes you feel that way?
7 A To me it felt different walking around the
8 city and walking around my own police
9 department.
10 Q Has there been any overt acts by specific
11 individuals that you believe support your
12 claim that you were treated differently after
13 this?
14 A No.
15 Q Okay. Isn't it possible that they read and
16 know the contents of your text message and
17 disagree with you as to whether or not that
18 term was disparaging or demeaning?
19 MR. KLEBANOW: Objection. Go ahead.
20 Q Isn't that a possible reason why if these
21 people are treating you differently?
22 A It's possible.
23 Q That they don't agree with your -- the context
24 and the use of the term haji, right?
25 A It's possible.

Page 110

1 Q And it's also possible that they have a
2 problem with a Cleveland police officer
3 indicating that he doesn't have any
4 reservations about engaging in physical
5 violence with a citizen?
6 MR. KLEBANOW: Objection. Go ahead.
7 Q Right?
8 A It's possible.
9 Q And you have no idea as to whether or not they
10 are treating -- these specific people you
11 can't identify are treating you differently,
12 right?
13 A Correct.
14 Q And you don't know why perhaps, right?
15 A Because of this.
16 Q Isn't it possible they think that your use of
17 the term haji was disrespectful to the people
18 that have actually made the hajj?
19 MR. KLEBANOW: Objection. Go ahead.
20 A I don't know what they are thinking.
21 Q Okay. But that's a possible rationale; is it
22 not?
23 A Anything is possible.
24 Q Okay. How about anything else? I think we --
25 what I -- do you think that any of your

Page 111

1 perceived being treated differently is in
2 relation to your term -- use of the term --
3 I'm sorry, use of the phrase never a problem
4 to tune up some haji haha versus the N-word?
5 A I'm sorry. Can you repeat that one more time?
6 Q Sure. My understanding from your testimony
7 that you gave is that you feel like your
8 family and you and your friends are having to
9 defend you because people think that you used
10 the N-word; is that fair?
11 A That's part of it, yes.
12 Q Is there -- has there been any conduct or
13 conversations that you're aware of amongst
14 yourself, your friends or your family where
15 they have to defend your use of the phrase
16 never a problem to tune up some haji haha?
17 Has that ever come up?
18 A I don't know what conversations they've had.
19 Q Well, you said that they've had to defend you,
20 or people associated you with the N-word.
21 Have they ever done that with respect -- made
22 that association with respect to the -- to
23 your text message or the term haji?
24 A They've had -- they've had to defend me for
25 what everyone perceived as racist because

Page 112

1 that's what was alleged.
2 Q What do you mean by racist is what I'm getting
3 at? Are you saying that you're being branded
4 a racist because you used the term -- the
5 phrase never a bother to tune up some haji
6 haha, or do you think you're being branded a
7 racist because you're being -- it was alleged
8 that you used the N-word?
9 A Both.
10 Q Okay. Who has made the claim with respect to
11 your text message and use of the term haji?
12 A I know for a fact a family member has.
13 Q Which family member of yours has had to defend
14 your use of the term haji?
15 A My father.
16 Q Tell me about that. Who made -- I don't
17 know -- an allegation to your father about --
18 A His brother. My uncle.
19 Q Who is your uncle?
20 A Carl Petitt.
21 Q So your uncle Carl Petitt expressed a concern
22 about your use of the term haji?
23 A About racism in general. I don't know the
24 details.
25 Q Well, that's what I'm getting at. Did your

Page 113

1 own uncle talk to your father about the belief
2 that the term haji implicated that you were a
3 racist?
4 A I don't know the details.
5 Q Well, you're saying he had to defend you so
6 please tell me what your father expressed to
7 you as to having to defend your use of the
8 term haji or the phrase never a bother to tune
9 up some haji haha.
10 A I just told you.
11 Q What, that he had to defend your use of the
12 term?
13 A That he had to defend me being called a
14 racist.
15 Q So your uncle called you a racist for using
16 the term haji?
17 A I don't know.
18 Q Well, what did your father tell you that your
19 uncle said that he had to defend you?
20 A That my uncle believed I was a racist because
21 of what he saw on TV, and that my dad had to
22 defend him -- or defend me.
23 Q What did he see on TV, the term that you used
24 haji or your association with the N-word?
25 A I don't know.

Page 114

1 Q All right. So as you sit here today has your
2 father or anyone else had to ever defend you
3 or your reputation based on your use of the
4 phrase in your text message or the term haji?
5 A I don't know.
6 Q So the answer to my question would be you have
7 no knowledge, evidence or recollection of
8 anyone attacking your reputation for your use
9 of the term haji or the text message we've
10 been discussing; is that true?
11 A I don't know.
12 Q No, is that true or not?
13 A That I don't know.
14 Q Do you have any knowledge of anyone ever
15 making those allegations against you, that
16 you're a racist or demeaning your reputation
17 based on the term haji or your text message?
18 A No.
19 Q What is your father's name?
20 A Alan Petitt.
21 Q Is he still with us?
22 A He is.
23 Q And what's his address?
24 A 19656 Henry Road.
25 Q Where is that, Cleveland?

Page 115

1 A Fairview Park. I'm sorry, I was waiting until
2 you were finished.
3 Q I'm sorry. She takes it all down. I don't
4 have to write it.
5 How about with respect to your uncle
6 Carl Petitt, what is his address?
7 A I don't know.
8 Q Do you know where he lives? I mean city.
9 A I think he lives in Cleveland still.
10 Q Was either your father or your uncle a member
11 of the Cleveland Division of Police?
12 A No.
13 Q Do you have any other relatives that were
14 members of the Division of Police?
15 A No.
16 Q Do you have any relatives that were in with
17 the fire department?
18 A Yes.
19 Q Who?
20 A My brother.
21 Q Anyone else?
22 A I'm sorry, did you -- I apologize. Did you
23 mean Cleveland Fire or just a fireman?
24 Q I think we're fixing that. Where did your
25 brother work?

Page 116

1 A Rocky River.
2 Q That's fine. Are you -- are you aware of you
3 not getting any -- strike that.
4 Are you aware of you not being hired
5 for any position with respect to the
6 discipline -- as a result of the discipline
7 you received in this case?
8 A Hired, no. Positions within the department,
9 yes.
10 Q What positions are you talking about?
11 A The availability for the NICE Unit. I was
12 informed that I was not able to go because I
13 had active discipline.
14 Q And that's a standard thing, correct?
15 A Correct.
16 Q Anyone that has disciplinary in the last two
17 years is not going to be selected for a
18 specialized unit, correct?
19 A Correct.
20 Q What's the NICE Unit?
21 A Neighborhood Impact Community Engagement.
22 Q Okay. Is that different from Community
23 Control?
24 A Yes.
25 Q All right. Any other positions or employment

Page 117

1 that you claim you didn't receive as a result
2 of the disciplinary process we're here about
3 today?
4 A No.
5 Q Would the NICE Unit have resulted in any
6 change in pay?
7 A Base pay, no.
8 Q By your answer do you allege that there is any
9 other degree of compensation that would have
10 changed had you been appointed to the NICE
11 Unit?
12 A Overtime and experience and education
13 opportunities.
14 Q Overtime it's my understanding is never
15 guaranteed to a member of the Division of
16 Police, correct?
17 A Rarely is it guaranteed.
18 Q I'm sorry?
19 A It's rarely guaranteed.
20 Q There is a provision where you're guaranteed
21 to receive overtime in the Division of Police?
22 A Some units have set scheduled overtime. Not
23 many. But there is no overall guarantee for
24 any one person.
25 Q But don't you need to apply for and receive

Page 118

1 approval to work overtime?
2 A No.
3 Q You don't have to put in for overtime?
4 A It's -- for the set ones there is. It's not
5 approval, it's usually a sign-off, just a
6 roster. You don't have to receive prior
7 permission.
8 Q What -- in your belief what are those units or
9 positions?
10 A Sometimes traffic and the Downtown Services
11 Unit, including my unit.
12 Q But not the NICE Unit, correct?
13 A Correct.
14 Q All right. So had you transferred to the NICE
15 Unit you would have essentially been forgoing
16 the overtime you would have received under
17 your current unit, correct?
18 A No.
19 Q You can do both?
20 A You can sign up for other units, yes.
21 Q What would you be doing for the NICE Unit had
22 you been selected?
23 A The description that was given out by the
24 Chief, they position themselves around the
25 City for high crime areas and focus on quality

Page 119

1 of life issues and go to areas that may be
2 current hot spots with violence or drug
3 activity and try to deal with community issues
4 and enforcement from there.
5 Q Okay. But just so I'm clear, that wouldn't
6 have resulted in any difference in base pay or
7 overtime, would it?
8 A No.
9 Q Are there any other monetary damages you're
10 claiming as a result of the discipline that
11 was imposed?
12 A No.
13 Q When you -- who presided over your
14 disciplinary hearing; do you know?
15 A I'd have to review the transcript.
16 Q Go ahead, take a look.
17 A Deputy Chief Wayne Drummond.
18 Q Okay. And who was it that imposed your six
19 day suspension as a result of the three
20 specifications that you were found guilty of?
21 A I believe it's the Chief of Police that makes
22 the ultimate -- let me check.
23 Q Go ahead and check the letter.
24 A I'm sorry.
25 Q That's fine.

Page 120

1 A Chief Calvin Williams.
2 Q Okay. As a result of this disciplinary
3 process and the imposition of your suspension
4 have you ever suffered from any mental
5 conditions that you claim are causally
6 related?
7 A No.
8 Q So there is no sort of mental issues or
9 treatment that you've been seen by any medical
10 professional with regard to the allegations in
11 your complaint; is that true?
12 A Correct.
13 Q Okay. Do you believe that the City of
14 Cleveland's policies and orders under which
15 you were found guilty of should be amended or
16 changed in any manner?
17 A Yes.
18 Q In what way?
19 A To be more specific.
20 Q In what way?
21 A For them to state and identify words that they
22 feel are inappropriate.
23 Q Okay. Anything else?
24 A Not at the moment, no.
25 Q What words would you include on that list?

Page 121

1 A If the City deems that a word is appropriate
2 they should add that. If the City of
3 Cleveland believes that the word haji is
4 inappropriate and offensive then I believe
5 there should be notice that that word is
6 inappropriate and offensive, or believed to
7 be.
8 Q Any other words that you believe should be on
9 the list?
10 A Not as it relates to this case.
11 Q Well, I mean, any other words? Are there any
12 words that you believe that should be on the
13 list that the City of Cleveland should specify
14 that are unacceptable for use by officers?
15 A I don't feel comfortable speculating that or
16 saying those words.
17 Q So you have no input or opinion as to whether
18 any particular word should appear on this list
19 that you think should be just added to the
20 orders and policies; is that true?
21 A I only feel comfortable addressing the word
22 and issue at hand. I don't feel comfortable
23 issuing.
24 Q Do you think haji should be on that list?
25 A If the City of Cleveland deems that it is

Page 122

1 offensive then I believe it should be.
2 Q Well, are you saying that haji is per se in
3 all circumstances an offensive word?
4 MR. KLEBANOW: Objection.
5 A What do you mean per se?
6 Q Well, what is the criteria by which you would
7 put a word on this list that you're talking
8 about?
9 A That would be up to the City of Cleveland to
10 decide.
11 Q What if there is a word that doesn't appear on
12 that list, because as you know word meanings
13 and vocabulary is changing all the time,
14 correct?
15 A Correct.
16 Q So what if a word comes up that's not on the
17 list, what should the City do in that
18 circumstance?
19 A What if it doesn't come up?
20 Q No, I'm saying what if a word like haji is not
21 on the list.
22 A Uh-huh.
23 Q Does that mean that you believe that under no
24 circumstances should a person be disciplined
25 for the use of a word that's not on that list?

Page 123

1 A You're asking me a two-part hypothetical
2 what-if question. I don't feel comfortable
3 answering what ifs with what ifs.
4 Q If a word doesn't appear on the list is it
5 your position that a police officer should not
6 be disciplined for using it under any -- under
7 any circumstances?
8 A But there is no list, correct?
9 Q Right. But I'm saying if we were to create a
10 list that you're talking about creating and a
11 word comes up through an investigation that --
12 that people would -- that would be ambiguous
13 or people might consider to be demeaning or
14 derogatory or -- is it your position that that
15 word, because it's not on the list there
16 should be no discipline imposed?
17 A It would be my position that it should be
18 examined, it should be discussed and it should
19 be addressed from there.
20 Q But my question is if the City makes a
21 determination that they find that that word
22 that was used, whatever it is that doesn't
23 appear on this list you're talking about, was
24 offensive or demeaning or derogatory, is it
25 your position that the City still should not

Page 124

1 be able to discipline its officers for that
2 use of that word?
3 A It would be my position that there needs to be
4 guidelines. If there -- if in this what-if
5 situation that if I'm making a list that if
6 exists and if someone was disciplined for if
7 using it because it wasn't on the if list, it
8 would be my position that if that word came up
9 then there should be some sort of sit down,
10 some sort of saying hey, this is a new word
11 that surfaced in our language, because that
12 happens all time. It should be addressed.
13 And from that point forward it should be known
14 that this is not acceptable.
15 Q So it's kind of like the dog's one bite rule.
16 You should be able to use a word that's
17 considered offensive at least one time because
18 it's not on the list?
19 MR. KLEBANOW: Objection.
20 Q Right?
21 A I'm not sure how this relates to a dog bite.
22 I'm not --
23 Q The one bite rule?
24 A I honestly have never heard that phrase.
25 Q All right. So in the event that a word comes

Page 125

1 up that is deemed by the City to be offensive
2 or subject to discipline but it's not on the
3 list, is it your position the City shouldn't
4 be able to discipline the person for that?
5 I'm just --
6 A My position is exactly as I just stated.
7 Q Which is what with respect to that question?
8 THE WITNESS: Can you reread that
9 please, ma'am?
10 Q You sit down -- I'll tell you what.
11 A Okay.
12 Q You sit down, you have a discussion about it
13 but at the end of the day if the City still
14 feels that the context in which the term was
15 used was offensive, is it your position that
16 they still shouldn't be able to discipline
17 their employee -- their officer for it?
18 A Yes.
19 Q So then if a word doesn't appear on this list
20 and it's determined that it's -- it was used,
21 it was an offensive word that was used in a
22 police action, it's your position that you
23 cannot discipline someone for that?
24 A So this is the if list, if it's a police
25 action, if it's not a word on the if list that

Page 126

1 I've created?
2 Q It's not an if list, it's a list, but yeah.
3 A But it's a list that doesn't exist so it's an
4 if list.
5 Q No. If we create your list that you say, the
6 word is not on there --
7 A There is a lot of theoretical lists floating
8 around there. I'm sorry.
9 Q If the word -- that's fine. If the word is
10 not on there, it's your position that you
11 shouldn't be able to discipline someone for
12 using it?
13 A It's my position that there should be
14 guidelines. It's my position that
15 administrators in the City and anyone using
16 that word or someone says I'm offended by it,
17 there should be a conversation about it and it
18 should be addressed.
19 Q But my point is --
20 A How is it addressed --
21 Q My point is the word is not on the list.
22 A I don't -- I'm sorry but I don't know your
23 point. I don't know the list and I don't
24 know --
25 Q It's fine. It's fine. All right.

Page 127

1 Well, with respect to the discipline
2 and the process and the investigation with
3 respect to your text message and the other
4 charges, didn't the City do what you say they
5 should have done except for with respect to
6 imposing discipline on you? I mean, they
7 investigated what the word meant, right?
8 A Yes.
9 Q They heard your side of the story and
10 collected, you know, the information that you
11 believe supported your actions and decisions,
12 right?
13 A Yes.
14 Q They presented it to -- both sides of the
15 story to at that point the deputy chief,
16 right?
17 A Correct.
18 Q And it was left for him to make a
19 determination, or I should say a
20 recommendation to the Chief, correct?
21 A Correct.
22 Q And you -- so there is nothing -- there is
23 nothing about the way it was handled, you just
24 have an issue with the fact that you were
25 disciplined for it, right?

Page 128

1 A No.
2 Q All right. What about the process do you
3 think should have been different?
4 A You previously -- you previously asked me and
5 I said that there should be some sort of
6 guideline set forth if that word is found to
7 be offensive, if they believed it to be
8 offensive. A standard should be set forth
9 from that period on.
10 Q Well, all right. Have you ever been a party
11 to a lawsuit in the past?
12 A Yes.
13 Q How many times?
14 A For any lawsuit ever?
15 Q Uh-huh.
16 A Three or four maybe.
17 Q Okay. And outside of your employment with the
18 City of Cleveland have you been a party to a
19 lawsuit?
20 A Yes.
21 Q How many times?
22 A One.
23 Q What was that in regards to?
24 A Traffic accident.
25 Q Anything else that you can recall? Any

Page 129

1 lawsuits you filed?

2 A When I was in high school.

3 Q Uh-huh. What was that lawsuit about?

4 A It was a freedom of speech case.

5 Q Okay. What did it pertain to?

6 A Against hanging pictures, posters on my locker

7 at school.

8 Q What was the content of the posters?

9 A They were U.S. military planes flying over

10 Afghanistan.

11 Q What else was going on?

12 MR. KLEBANOW: Objection.

13 A I was suspended for -- I don't remember the

14 exact verbiage but I was suspended with a

15 recommendation for expulsion for hanging

16 posters that could be considered offensive.

17 Q Okay. They were flying over Afghanistan.

18 What were the planes doing?

19 A They were dropping bombs.

20 MR. PIKE: Okay. Let's mark

21 this.

22 (Defendant's Exhibit G

23 marked for identification.)

24 Q Take a look at what I've given you as Exhibit

25 B -- I mean G. I'm sorry. Five posters I've

Page 130

1 attached here. Are these posters that you

2 were referring to?

3 A Yes, they are.

4 Q All right. And in each one of these five

5 posters it depicts military planes over

6 Afghanistan dropping bombs?

7 A Yes.

8 Q What's the -- under the first page what's the

9 language there that's written?

10 A "Good morning Afgan."

11 Q Okay. And then the second one, what's written

12 there?

13 A "May God have mercy because we will not."

14 Q And the third one?

15 A "Nonstop flights soon to" -- I can't make out

16 the last word.

17 Q "Soon to be commenced"?

18 A I don't know.

19 Q All right. Fourth one?

20 A "It's a bird. It's superman. No. It's what

21 dreams are made of" I think. "Dreams do come

22 true."

23 Q Again, depicting bombs falling all over

24 Afghanistan?

25 A Yes.

Page 131

1 Q And then the final one?

2 A "American Airlines delivering a special

3 message."

4 Q Okay. Okay. And these are posters that you

5 posted around your school indicating what?

6 Why did you do it?

7 A This was immediately following 9/11. These

8 were pictures from the Internet and these were

9 slogans taken off there. And the front one

10 being a play off the Robin Williams good

11 morning Viet Nam. The following posters, the

12 following were all from military members that

13 I saw on TV when I was a sophomore in high

14 school.

15 Q Okay. Is there any limitation on where or how

16 Afghans should be bombed in any of those

17 photographs?

18 A That would be up to the commanding general.

19 Q Well, I'm -- does your writing indicate

20 anything about it or just that the entire

21 Afghan should be bombed?

22 MR. KLEBANOW: Objection. Go ahead.

23 A I was a sophomore in high school so I wasn't a

24 member of special operations command at the

25 time so I didn't have any deployable knowledge

Page 132

1 on how the Air Force imposed --

2 Q I'm asking what you mean by good morning

3 Afghan. The picture seems to indicate that

4 it's target bombing the country.

5 A I'm not sure what the bombers on Afghanistan

6 after we started invasion were doing besides

7 bombing.

8 (Jeffrey Follmer entered to conference room.)

9 Q All right. Is there any other reason you

10 posted these photos?

11 A To show support for my country after we were

12 attacked.

13 Q Okay. That's the 9/11 attack, Twin Towers?

14 A Yes, it was.

15 Q Was your sister injured in that attack?

16 A Yes, she was.

17 Q What injuries did she suffer?

18 A Cuts to the face from glass, partial burns

19 from the debris. Not -- that's all I really

20 recall.

21 Q How about with respect to your brother who is

22 a firefighter, I'm sure it impacted him, the

23 9/11 attack?

24 A He volunteered to go up to Ground Zero to dig

25 out remains and rubble.

Page 133

1 Q Right. I'm assuming it made you mad?
2 MR. KLEBANOW: Objection. Go ahead.
3 A It made me very mad.
4 Q And in response to that you posted these type
5 of photos?
6 A To show support for my country, yes.
7 Q Okay. Is it your belief that using the term
8 haji is acceptable, to use that to refer to
9 all middle easterners?
10 A It depends.
11 Q Depends on what, context?
12 A Depends on who you're saying it to, how you're
13 speaking to them.
14 Q Okay. Well, what circumstances would it be
15 appropriate or would it not be appropriate to
16 use the term?
17 A At work. The same reason I don't use the
18 terms bro or dude or guy when I'm speaking to
19 somebody.
20 Q How about the term nukka, n-u-k-k-a; do you
21 use that term?
22 A Joking around with friends I know I have.
23 Q What does that term mean?
24 A We -- a lot of times like nukka or ninja.
25 Q Okay. Is there another -- is there another

Page 134

1 connotation of the word nukka? Is it slang
2 for anything?
3 A Not that I've used it in.
4 Q You're not aware of any alternate meanings of
5 the term nukka?
6 A Not that I've used it in, no.
7 Q How about the term homo; have you ever been
8 involved in a conversation involving the term
9 homo?
10 A Yes.
11 Q Have you used the term yourself?
12 A I'm sure I have.
13 Q Do you think that's an appropriate term to use
14 when referring to people?
15 A At work, no.
16 Q But you agree that you've used that term,
17 right?
18 A I have.
19 Q How about the term fag, have you used that
20 term?
21 A I'm sure I have before.
22 Q Is there any ambiguity to that term?
23 A No.
24 Q Have you ever used that term while on duty?
25 A I don't believe so.

Page 135

1 Q Have you ever used that term in respect to
2 text messages?
3 A I don't know.
4 Q Is it fair to say that haji is not the only
5 ambiguous term you've used to refer to people
6 of other ethnic ethnicities?
7 A Can you repeat that? I'm sorry.
8 Q Sure. Is it fair to say that haji is not the
9 only term you've used to refer to -- ambiguous
10 term that you've used to refer to other
11 people -- people of other ethnicities?
12 A No.
13 Q Okay. Were you a party or involved in any way
14 with respect to a lawsuit to keep the terms of
15 your text message out of the public eye?
16 A Yes.
17 Q In what regard?
18 A Myself and on behalf of the Union initially
19 filed an injunction to stop it from coming
20 out.
21 Q You didn't want the particulars of the text
22 message that you had used to go public,
23 correct?
24 A Correct.
25 Q You filed -- were part of a federal lawsuit

Page 136

1 seeking to prevent that from occurring,
2 correct?
3 A Correct.
4 Q Okay. And just so I'm clear, you were
5 successful in that, right?
6 A No.
7 Q Okay. Well, if the term is so appropriate to
8 use why would you go to great lengths as to
9 file a federal lawsuit to prevent its
10 disclosure to the public?
11 MR. KLEBANOW: Objection. Go ahead.
12 A Because everyone has a different opinion and
13 the media can turn anything they want to into
14 anything.
15 Q Right. Everybody has a different opinion as
16 to the term haji and the way that you used it
17 in that text message, right?
18 A Correct.
19 Q Some people would find it very offensive,
20 correct?
21 A It's possible.
22 Q All right. And isn't it really more important
23 when you're creating a policy for which police
24 officers are to follow that you take into
25 account everyone's ethnic background and

Page 137

1 opinions on a particular word or phrase?
2 A Yes.
3 Q So if some person or persons found your
4 terminology, your text message or the term
5 haji offensive you would agree that -- that
6 that word should not be used by a police
7 officer, correct?
8 A Yes.
9 Q Okay. Even though you may have been using it
10 innocently it's what the public or someone
11 else would perceive the meaning of that word
12 that's important; is it not?
13 A Yes.
14 Q As the City of Cleveland or the Cleveland
15 Division of Police, it has a vested interest
16 in holding its officers to the highest
17 standards, correct?
18 A Correct.
19 Q Because if you don't do that they lose faith
20 in the police, correct?
21 A Correct.
22 Q So with respect to the City's determination as
23 to whether or not a word or a phrase comports
24 with your personal belief as to the meaning of
25 that word, that's really not relevant to a

Page 138

1 disciplinary process, correct?
2 MR. KLEBANOW: Objection. Go ahead.
3 A I would disagree with that.
4 Q Okay. And can you give me any documents or
5 notices or any paperwork where the U.S.
6 military, as you claim, instructed you in the
7 use of the term haji?
8 A Not at the moment, no.
9 Q Can you name any person or commander who told
10 you to use those terms -- that term?
11 A All of those people are long since gone if I
12 could remember the names.
13 Q You don't know any of those people who I could
14 ask about this, do you?
15 A I could try to get information. No.
16 Q Well, I'm asking as you sit here do you have
17 any knowledge as to who the person or persons
18 were within the U.S. military that told you it
19 was okay to use those terms?
20 A Not at the moment, no.
21 Q You would agree that the culture in society in
22 the middle eastern states is dramatically
23 different than what it is here in Cleveland,
24 Ohio, correct?
25 A In an unimaginable and unfathomable way, yes.

Page 139

1 Q It's about as far away from the City of
2 Cleveland as you could possibly be, right?
3 A Yes.
4 Q So the terms and phrases that are -- or
5 customs that are used in the middle east are
6 far different from those that are present here
7 in the City of Cleveland, correct?
8 A No.
9 Q No?
10 A No.
11 Q Okay. But you can appreciate that the word's
12 usage and context and meaning can mean two
13 different things in two different parts of the
14 world, right?
15 A Yes.
16 Q And there is certain gestures and actions that
17 are commonplace here in the United States that
18 would probably get you, you know, into a fight
19 in other parts of the world, right?
20 A Absolutely.
21 Q And that was part of your military training,
22 correct?
23 A Some of it, yes.
24 Q So what's acceptable in one part of the world
25 is not necessarily acceptable in civilian life

Page 140

1 here in the City of Cleveland, right?
2 A Sometimes, yes.
3 Q All right. You're not disputing that, right?
4 A No.
5 MR. PIKE: All right. We can
6 take a break if you want.
7 MR. KLEBANOW: All right. That's
8 fine.
9 MR. PIKE: I don't want to hold
10 him here.
11 VIDEO TECHNICIAN: We're off the record
12 at 12:48.
13 (Short recess.)
14 VIDEO TECHNICIAN: We're back on the
15 record at 12:55.
16 MR. PIKE: Sir, I looked over my
17 notes. I think I'm done today. I appreciate
18 your time and honesty.
19 MR. KLEBANOW: And we'll read.
20 VIDEO TECHNICIAN: We're off the record
21 at 12:55.
22 (Deposition concluded at 12:55 p.m.)
23 (Signature not waived.)
24 ---
25

Page 143

1 SIGNATURE PAGE

2

3 In Re: Aaron Petitt, et al., v. City of Cleveland

4 Case Number: 1:18-CV-01678-JG

5 Deponent: Aaron Petitt

6 Date: Thursday, January 17, 2019

7

8 To the Reporter:

9 I have read the entire transcript of my

10 Deposition taken in the captioned matter or the same

11 has been read to me. I request that the following

12 changes be entered upon the record for the reasons

13 indicated.

14 I have signed my name to the Errata Sheet and the

15 appropriate Certificate and authorize you to attach

16 both to the original transcript.

17

18

19

20 Aaron Petitt

21 Subscribed and sworn to before me this

22 _____ day of _____, 2019.

23

24 Notary Public

25 My commission expires: _____.

1 State of Ohio,)
2 County of Cuyahoga,) SS: CERTIFICATE
3 I, Karen A. Toth, Notary Public in and for the
4 State of Ohio, duly commissioned and qualified, do
5 hereby certify that the within named witness,
6 Aaron Petitt, was by me first duly sworn to
7 testify the truth, the whole truth, and nothing but
8 the truth in the cause aforesaid; that the testimony
9 then given by him was by me reduced to
10 stenotypy/computer in the presence of said witness,
11 afterward transcribed, and that the foregoing is a
12 true and correct transcript of the testimony so
13 given by him as aforesaid.
14 I do further certify that the testimony given
15 by the witness was video/audio recorded and that the
16 video recording hereto attached is a true and
17 correct visual and audio reproduction of the
18 testimony given by him.
19 I do further certify that this deposition was
20 taken at Burke Lakefront Airport, 1501 North
21 Marginal Road, Cleveland, Ohio 44114, on Thursday,
22 January 17, 2019, commencing at 9:54 a.m. and was
23 completed without adjournment.
24
25

Page 144

1 I have read the foregoing transcript from page 1
2 through page 140 and note the following corrections:
3 PAGE-LINE REQUESTED CHANGE REASON FOR CHANGE
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25 Aaron Pettitt _____ Date _____

1 I do further certify that I am not a relative,
2 counsel, or attorney of either party, or otherwise
3 interested in the event of this action.

4 IN WITNESS WHEREOF, I have hereunto set my
5 hand and affixed my seal of office at Cleveland,
6 Ohio on this 21st day of January, 2019.

7

8 Karen A. Toth, Notary Public in
9 and for the State of Ohio.
10 My Commission expires May 6, 2023.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

	121:2	109:23;134:16;137:5; 138:21	always (3) 37:19;97:11;104:14	118:1,5
\$	added (1) 121:19	agreement (1) 78:23	ambiguity (2) 61:14;134:22	approximate (1) 35:12
\$500 (1) 8:21	additional (1) 34:4	ahead (49) 16:17;31:25;32:22; 33:8;34:13;45:12,24; 46:9,12,16;47:17; 48:12;49:21,23;50:15; 18;53:11,25;54:22; 55:5;56:25;57:10,24; 58:8;63:10;64:3;66:7, 13;67:1;68:20;73:6; 75:12;79:2;90:5;91:8, 14;94:23;99:7;101:15; 102:24;109:19;110:6, 19;119:16,23;131:22; 133:2;136:11;138:2	ambiguous (7) 43:17,25;44:2;87:11; 123:12;135:5,9	approximately (10) 5:24;8:9;11:14;14:9; 16:5;18:5;21:16,18; 35:24;47:3
A	address (3) 18:13;114:23;115:6		amended (1) 120:15	April (3) 27:10,20;48:5
AARON (7) 4:4;5:4;75:6;76:6; 97:19;103:20;104:3	addressed (4) 123:19;124:12; 126:18,20		Amendment (1) 72:8	Arab-American (1) 75:9
abdomen (1) 82:15	addressing (1) 121:21		American (2) 107:24;131:2	Arabia (1) 63:9
able (6) 116:12;124:1,16; 125:4,16;126:11	administrative (1) 83:17		amongst (1) 111:13	Arabic (1) 28:11
above (1) 82:14	administrators (1) 126:15		amount (2) 85:5,6	arbitrarily (1) 65:12
absence (1) 9:21	advance (1) 96:9	Air (1) 132:1	and/or (1) 39:4	arbitrary (3) 95:18,24,25
Absent (1) 8:13	advising (1) 15:5	Airlines (1) 131:2	answered (2) 74:11;98:9	arbitration (2) 102:16,18
Absolutely (5) 70:18,23;72:3,22; 139:20	advisor (1) 19:8	Alan (1) 114:20	anymore (1) 108:7	area (2) 10:8;103:10
acceptable (5) 78:22;124:14;133:8; 139:24,25	Aegis (6) 11:5,15;13:6,17,21; 20:6	allegation (17) 24:25;37:3,6;65:19; 66:2,20,25;68:17;69:2; 70:7;71:17;77:19; 96:15;103:1,4;106:9; 112:17	ap (2) 14:8,20	areas (2) 118:25;119:1
accepted (2) 70:15;83:13	affect (1) 73:8	allegations (13) 34:22;35:10;59:7; 67:19;83:2;87:8;96:18; 99:20;100:22;106:17; 108:22;114:15;120:10	apologize (1) 115:22	argue (5) 32:24;56:14;70:22; 72:5;108:24
accident (1) 128:24	affected (1) 107:18	allege (6) 69:4;75:5;76:3;87:9; 104:20;117:8	Apparently (2) 51:3;75:8	armed (1) 23:10
according (2) 42:13;93:12	Afgan (1) 130:10	alleged (8) 21:3;28:10;67:10; 68:5;70:1;72:8;112:1,7	appeal (4) 102:7,9,11,13	Army (11) 5:19;6:9;22:21,22; 23:10;24:6,10,11,12, 16,19
account (1) 136:25	Afghan (2) 131:21;132:3	allegedly (3) 68:2,9;70:9	appealed (1) 101:21	Around (18) 4:15;6:13;8:16; 14:10;36:10,11;45:1; 103:9,11;108:16,16; 109:2,7,8;118:24; 126:8;131:5;133:22
accountable (1) 89:17	Afghanistan (8) 5:21;23:13;38:2; 129:10,17;130:6,24; 132:5	allege (6) 69:4;75:5;76:3;87:9; 104:20;117:8	appear (6) 80:8;121:18;122:11; 123:4,23;125:19	articles (1) 104:19
accurate (3) 41:6;49:16;50:22	Afghans (1) 131:16	alleged (8) 21:3;28:10;67:10; 68:5;70:1;72:8;112:1,7	appellate (1) 102:21	aside (3) 8:13;92:20;93:2
accused (1) 104:16	afoul (1) 98:18	alleges (2) 43:24;65:11	application (20) 11:8,22;12:4,13; 13:7,9,14,21;14:6,17; 15:2;17:17,18;18:4,6,8, 17,25;19:2,10	assigned (2) 76:14;78:9
Achievement (1) 22:22	African (1) 107:24	alleging (2) 68:22;78:17	applications (4) 13:25;14:11;20:7,10	assignments (1) 37:22
action (8) 28:12;52:24;53:10; 58:1,14;89:21;125:22, 25	again (12) 10:1;17:9,12;37:13; 47:22;50:1;51:10; 68:21;91:18;96:4; 97:11;130:23	allowed (1) 37:16	apply (6) 9:7;11:13,16,23; 20:3;117:25	assist (1) 62:19
actions (3) 82:1;127:11;139:16	against (13) 31:15;32:14;33:15, 18,19;34:1;81:4,7; 83:2;94:12;103:23; 114:15;129:6	almost (2) 37:12,14	applying (2) 18:2;19:7	assistance (4) 52:16;53:9;58:3,13
active (6) 5:19;22:3,12;37:13; 83:20;116:13	age (2) 4:5;5:14	Along (3) 19:3;58:19;66:21	appointed (1) 117:10	associated (6) 18:22;68:10;104:11, 15;106:10;111:20
activities (1) 37:21	agencies (3) 9:3;105:2,6	alongside (1) 67:24	appreciate (6) 57:14,18;90:24;96:7; 139:11;140:17	associating (1) 107:12
activity (1) 119:3	ago (6) 4:14;11:14;14:9; 18:5;20:8;47:3	alpha (8) 38:16;39:5,6,6,8; 63:16,21,23	approaching (1) 28:16	association (5) 107:4,6,7;111:22; 113:24
acts (2) 90:18;109:10	agree (11) 52:22;56:20;57:1; 74:7;92:8;96:6,11;	altercation (1) 56:23	appropriate (5) 121:1;133:15,15; 134:13;136:7	assume (1) 52:20
actually (6) 27:23;38:13;51:22; 91:16;107:2;110:18		alternat (7) 40:22;41:3,8,15,16; 43:1;134:4	approval (2)	assuming (6)
add (1)				

9:14;19:4;24:13; 27:12;67:8;133:1 assumption (2) 64:1,5 attached (1) 130:1 attack (3) 132:13,15,23 attacked (1) 132:12 attacking (1) 114:8 attend (2) 78:24;102:20 attended (2) 5:11;79:16 attendee (1) 80:9 attention (2) 84:20;88:1 attorney (3) 97:24;98:22;99:1 attorneys (6) 21:1;97:20;98:10,10, 19,22 attribute (1) 107:22 automated (1) 15:1 availability (1) 116:11 AVERY (3) 51:25;98:7,24 avoided (1) 82:6 awarded (7) 22:24;23:15,20,21, 25;24:8,9 aware (29) 29:19,22;41:23,25; 42:2,17;45:4,7;46:8; 47:19,23;58:22;59:12; 69:23;77:13;79:15; 84:4;85:25;87:19;91:4; 94:9;95:13;102:13,17; 106:21;111:13;116:2, 4;134:4 away (1) 139:1	Bad (4) 17:11;60:20;61:15, 24 Badge (1) 24:21 bank (1) 103:9 bargaining (1) 30:25 base (3) 39:23;117:7;119:6 Based (12) 37:9;39:24,25;46:11, 14;61:2,4;72:2;77:10; 85:20;114:3,17 bases (1) 44:6 basic (2) 5:16;37:10 basis (9) 33:7;37:12,14;66:25; 69:8;96:1,3,7;103:3 bathroom (1) 91:17 Battalion (2) 5:20;37:18 Beat (2) 53:22,24 beating (3) 54:8;55:4,12 become (1) 24:19 becoming (1) 24:12 beforehand (2) 47:5;93:5 begin (1) 69:15 beginning (1) 20:13 behalf (1) 135:18 belief (15) 42:16,22;43:16; 44:11;69:8,17,19; 71:11,23;72:19;75:24; 113:1;118:8;133:7; 137:24 believes (1) 121:3 besides (8) 11:1;18:24;19:23; 64:10;101:17;106:5; 107:10;132:6 best (2) 7:1;44:21 better (1) 23:25 bird (1) 130:20 bit (1) 26:16 bite (3)	124:15,21,23 black (1) 94:25 bombed (2) 131:16,21 bombers (1) 132:5 bombing (2) 132:4,7 bombs (3) 129:19;130:6,23 both (15) 5:21;7:11;11:11; 27:19;38:1;52:8;77:7; 78:2;84:8;85:20;86:18; 98:4;112:9;118:19; 127:14 bother (7) 51:14;54:1,7;56:5; 59:22;112:5;113:8 bothering (1) 51:11 branded (2) 112:3,6 break (3) 20:14,15;140:6 breaks (1) 21:23 bro (1) 133:18 brother (4) 112:18;115:20,25; 132:21 brought (10) 25:14;26:6,11,14; 32:5;33:19;35:13;36:6; 47:10,14 burns (1) 132:18	5:3,8;16:14;22:23; 24:3,18;25:10,13,21; 26:23;29:1,10,25;30:9, 22;31:9,16;32:8,16,23, 25;33:1,3,10;34:19; 37:7;38:23;40:3;41:11; 42:5,11,19,20;43:21, 22;45:17;46:4,4,6,7,10; 47:22;48:6;50:11,19, 19;52:17,25;54:21; 57:8,14;60:4,14,24; 61:19;62:1,12;63:18, 20;67:22;73:8;75:15; 80:3;84:17,23;85:5; 86:8;87:16,19;90:24; 92:18;93:12;95:5,20, 21;96:6;97:23;103:3; 111:5;118:19,20; 125:8;128:25;135:7; 136:13;138:4,9; 139:11,12;140:5 Canopy (10) 8:4,8,14,20,25;9:4,9, 12,25;11:2 capacity (3) 7:13;53:3;98:11 capricious (4) 95:19,20,22;96:1 capriciously (1) 65:12 career (4) 10:10;25:5,8,14 Carl (3) 112:20,21;115:6 case (16) 35:12;36:24;40:9; 44:11;72:9;75:7;76:20, 23;77:11;103:1,5; 104:22;109:4;116:7; 121:10;129:4 causally (1) 120:5 cause (2) 76:4;83:15 caused (1) 105:9 causing (1) 48:25 CBA (1) 101:23 cease (1) 8:24 cell (1) 77:7 certain (7) 42:21;44:14;46:3; 56:7;63:21;107:23; 139:16 certified (1) 4:6 chance (3) 27:1;29:7;49:8 change (1)	117:6 changed (2) 117:10;120:16 changing (1) 122:13 characterization (2) 107:8,9 charge (8) 26:19;27:7;39:5,7; 44:7;81:7;99:24;101:1 charged (11) 25:16;26:18;27:10, 19;28:6;33:11;35:25; 36:4;85:23;86:12; 108:1 charges (32) 25:8,13;26:7,11,14; 27:8,18,23;28:14,19, 25;31:15,19;32:4,13; 33:19;34:1,7;35:13; 36:6;47:11,14;80:18; 82:20;83:2,17;92:4; 93:24;96:4,11;103:6; 127:4 charging (10) 59:7;85:20,21;87:24; 93:19,20;94:4,11;95:7, 8 check (2) 119:22,23 Chief (7) 29:12;118:24; 119:17,21;120:1; 127:15,20 chose (1) 34:3 circles (1) 63:21 circumstance (2) 23:1;122:18 circumstances (14) 45:16;46:3;54:19; 55:3,12;56:7,17,22; 71:22;96:23;122:3,24; 123:7;133:14 cited (1) 94:11 citizen (1) 110:5 City (53) 5:7;32:14;37:3;43:6; 59:17,25;66:20;67:17; 68:18,22;69:10,25; 70:8;72:6,17;73:12,16; 75:24;76:5,11;77:14; 91:5;92:5,21;95:11; 104:15;105:5,9,16; 106:8;108:16;109:8; 115:8;118:25;120:13; 121:1,2,13,25;122:9, 17;123:20,25;125:1,3, 13;126:15;127:4; 128:18;137:14;139:1,
B		C		
Bachelor's (1) 6:3 back (20) 5:16;8:10;9:23; 14:13,25;21:25;22:9, 15;27:10;32:1;34:22; 35:6,9,9;36:23;45:18; 50:20;91:23;99:24; 140:14 background (3) 5:9;16:8;136:25		call (14) 15:16,20,21;16:7; 52:23;57:22;58:6,9; 62:7,14,17;63:17; 80:25;99:25 called (5) 25:18;75:19;101:2; 113:13,15 calling (3) 52:15;58:2;105:18 calls (4) 105:25;106:3,6,7 Calvin (1) 120:1 came (7) 5:16;9:23;21:25; 39:18;43:10;105:23; 124:8 Campaign (3) 23:13,16;24:1 Can (90)		

7;140:1 City's (2) 70:3;137:22 civil (4) 75:8,10,16,17 civilian (1) 139:25 claim (9) 67:23;72:9;77:20; 108:21;109:12;112:10; 117:1;120:5;138:6 claiming (6) 45:21;46:1,3,6; 108:15;119:10 Clark (7) 59:10,11;60:11; 65:23;66:16;92:15; 93:10 classes (1) 76:14 clean (1) 4:24 clear (8) 62:6;77:18,23;80:1; 86:12;99:9;119:5; 136:4 Cleveland (66) 5:7,23;6:1,13,24; 8:11,16;9:15,23;10:11; 14:14;2:17;24:18;11; 25:2,6;32:14;35:18; 37:4;43:6;58:23;59:4; 16,17;64:12;66:20; 67:18;68:18,23;69:11; 25;70:9;72:17;73:12; 16;75:24;76:5,12; 77:14;79:15;80:20; 82:4;88:3;91:5;92:5; 95:11;104:16;105:5; 106:8;109:5;110:2; 114:25;115:9,11,23; 121:3,13,25;122:9; 128:18;137:14,14; 138:23;139:2,7;140:1 Cleveland's (1) 120:14 close (1) 7:16 Club (6) 48:23;53:15;58:6,13; 62:19;75:9 collected (1) 127:10 collective (1) 30:25 college (1) 5:10 comfortable (4) 121:15,21,22;123:2 coming (2) 8:10;135:19 command (1) 131:24	commander (1) 138:9 commanding (1) 131:18 commenced (1) 130:17 comment (2) 88:21;89:6 comments (2) 87:2;90:9 common (1) 77:8 commonplace (3) 37:11;79:6;139:17 community (5) 103:10,12;116:21, 22;119:3 company (1) 105:19 compassion (2) 88:9,19 compensation (1) 117:9 competent (1) 89:20 complaint (18) 20:25;21:3;22:18; 34:23;35:10;36:24; 43:24;65:11;66:4; 67:20;70:2,8;71:17; 75:13;87:8;99:20; 100:22;120:11 complete (1) 24:18 completed (1) 5:17 completely (1) 4:21 completing (1) 24:16 component (1) 42:3 comports (1) 137:23 concern (2) 107:6;112:21 concluded (3) 101:25;105:21; 140:22 conclusions (1) 92:9 conditions (1) 120:5 condone (1) 101:13 conduct (6) 70:22;76:1;89:19,24; 90:17;111:12 conducted (3) 33:16;79:12;93:5 conference (1) 132:8 connotation (1)	134:1 consecutive (1) 21:23 consider (3) 50:10,11;123:13 considered (3) 45:23;124:17;129:16 consistent (1) 89:20 construed (1) 44:15 contact (8) 13:14;17:12,15; 18:16;19:25;28:15; 87:20;108:8 contacted (1) 17:9 contain (1) 84:18 contained (4) 29:14;32:6,15;33:12 containing (1) 47:18 contains (1) 47:24 contending (1) 45:14 content (5) 47:24;49:13;90:24; 100:13;129:8 contents (1) 109:16 contest (1) 34:7 context (14) 44:14;46:11,14; 54:23;59:14;72:12; 90:25;91:6;101:8,11; 109:23;125:14;133:11; 139:12 continue (1) 22:16 Continuing (1) 49:21 contract (2) 7:10;9:4 contracted (1) 8:2 contractor (5) 7:6,9,14,23;10:25 contractors (1) 9:8 contracts (2) 9:2,6 Control (1) 116:23 conversation (17) 16:2,4;18:21;19:14; 47:21;89:3;90:8;98:21; 100:2,3,6,16;101:12, 16;108:11;126:17; 134:8 conversations (8)	13:20;39:25;97:6,11, 20;101:17;111:13,18 copies (2) 68:1;106:16 copy (9) 12:4,7,7;13:9;14:17; 18:8;49:16;50:22;65:8 Corning (4) 19:1,16;20:1,5 correctly (4) 74:20,21;83:21; 88:12 correspondence (3) 19:15;64:15,25 counsel (8) 34:3;97:7,12,14; 98:1;99:14,19;100:25 count (1) 99:3 country (3) 132:4,11;133:6 couple (1) 4:16 course (1) 72:22 court (1) 4:19 courtesy (3) 4:20;88:9,19 cover (3) 28:16;44:6;58:22 covered (4) 75:21;80:20,23,25 covering (1) 28:21 CPPA (12) 21:1;97:8;98:5,21; 99:1,13,18;100:8,10, 12,21;105:18 create (2) 123:9;126:5 created (1) 126:1 creating (2) 123:10;136:23 crime (1) 118:25 Criminal (1) 6:4 criteria (1) 122:6 CROSS-EXAMINATION (1) 4:8 culture (1) 138:21 current (2) 118:17;119:2 currently (4) 5:6;6:21;10:5; 102:15 customs (1) 139:5 cut (4)	4:19;9:3;52:1;91:15 Cuts (1) 132:18 cuz (1) 71:16 cycles (1) 37:21 D dad (1) 113:21 daily (5) 8:21;37:12,14,20,21 damage (2) 77:20;104:9 damages (2) 76:5;119:9 date (4) 19:20;25:12,22;68:7 dates (2) 8:12;10:13 day (19) 10:19;13:5;38:1; 76:18;78:1;79:5,12,24; 81:2,11;83:7,18;86:10, 23;87:6;104:9;108:9; 119:19;125:13 days (7) 8:23,23;10:16;26:5; 79:20;81:24;84:2 deal (3) 62:20;107:11;119:3 dealing (1) 58:4 dealt (1) 78:15 debris (1) 132:19 decide (2) 108:9;122:10 decided (2) 92:20,21 decision (1) 101:21 decisions (1) 127:11 decorations (1) 22:20 deemed (1) 125:1 deems (2) 121:1,25 de-escalation (7) 28:15;81:12;82:6,22, 22;87:4;100:19 defamatory (1) 90:2 defend (14) 103:23;111:9,15,19, 24;112:13;113:5,7,11, 13,19,22,22;114:2 defendant (1)
---	--	---	--	--

65:12 Defendant's (7) 20:18;26:24;29:5; 31:4;49:4;84:14; 129:22 defense (5) 9:3;23:6,8,15;30:4 defer (3) 35:17;52:13;73:16 define (2) 42:19;95:20 defining (1) 87:3 definition (6) 23:23;56:8,10,14,17; 95:25 degree (1) 117:9 deleted (1) 46:23 delivering (1) 131:2 demeaning (9) 42:9;87:21;91:12; 92:25;108:2;109:18; 114:16;123:13,24 denied (1) 102:14 Department (11) 5:24;7:7,8,12,25;8:2; 16:8,10;109:9;115:17; 116:8 depending (1) 93:13 depends (3) 133:10,11,12 depicted (1) 49:14 depicting (1) 130:23 depicts (1) 130:5 deployable (1) 131:25 deployed (1) 39:14 deployment (3) 8:22;22:17;39:18 depo (1) 4:12 deposition (3) 33:5;50:3;140:22 Deputy (2) 119:17;127:15 derogatory (16) 42:3,9,20;43:12; 45:8,15,23;46:4;60:24; 61:12,20;62:1;91:11; 92:24;123:14,24 descent (1) 64:19 describe (5) 38:14;39:4,5;61:18;	107:19 described (1) 60:22 describing (2) 60:25;61:20 description (2) 107:22;118:23 despite (2) 44:10;69:17 detail (2) 11:7;37:23 details (3) 37:20;112:24;113:4 Detective (2) 59:10;76:10 determination (3) 123:21;127:19; 137:22 determine (1) 40:22 determined (3) 65:13;92:16;125:20 dictionary (1) 56:14 difference (1) 119:6 different (18) 5:25;40:3,4;41:23; 51:20,25;74:17;85:7; 109:1,7;116:22;128:3; 136:12,15;138:23; 139:6,13,13 differently (10) 92:6,13;93:7;107:21; 108:15,22;109:12,21; 110:11;111:1 dig (1) 132:24 dignitaries (1) 7:18 dignity (2) 88:8,18 diminish (6) 69:6,12,25;70:10; 90:19;91:1 direct (5) 25:16;36:25;67:22; 84:19;88:1 Directly (4) 5:18;89:7;106:20; 108:19 Director (1) 18:3 disagree (2) 109:17;138:3 disciplinary (35) 25:7;26:7,11,14; 36:9,19;58:17;59:17; 61:8;65:22;66:12; 70:20;77:25;78:20; 79:4,8,11,16,24;80:2,4; 82:23;83:23;85:22; 86:14;92:3;95:17;	99:21;102:22;108:23; 116:16;117:2;119:14; 120:2;138:1 discipline (42) 26:2;35:11;72:5,6; 73:7,24;78:5;83:15,20, 24;84:19;85:3,4,10; 86:3,7,8;87:16;94:3,12, 16,21;95:13,17;96:8; 24;97:4;99:11;101:22; 116:6,6,13;119:10; 123:16;124:1;125:2,4, 16,23;126:11;127:1,6 disciplined (17) 71:2,7,12,24;72:11, 19,24;73:1,4,12;74:15; 75:2;87:19;122:24; 123:6;124:6;127:25 disclosure (1) 136:10 discovered (1) 92:15 discussed (7) 16:6;20:11;48:18; 97:14;99:21;101:5; 123:18 discussing (1) 114:10 discussion (3) 99:23;100:13;125:12 discussions (2) 99:17;100:20 disobedience (3) 75:8,11,17 disparagement (1) 65:14 disparaging (15) 28:10;37:5;70:15; 75:10;87:2,16,21;90:2, 8;92:25;93:1;94:10,21; 108:1;109:18 displeasure (1) 101:10 dispute (9) 29:24;30:7;34:6; 60:5;66:15;78:13; 80:19;82:20;84:1 disputing (2) 81:6;140:3 disrespectful (2) 88:24;110:17 distinction (1) 70:25 district (10) 10:3,4,5,6,8,15,16, 17,20;108:17 Division (28) 6:14,24;7:5;8:11,16; 9:15,24;10:11;14:2; 25:2,6;35:18;58:23; 59:4,16;64:12;79:15; 80:20;82:5;88:3;90:20; 94:18;109:5;115:11,	14;117:15,21;137:15 document (3) 20:22;27:4;28:2 documentation (1) 47:20 documented (1) 36:18 documents (2) 47:23;138:4 dog (1) 124:21 dog's (1) 124:15 done (14) 40:10;59:13,16,24; 61:7;65:23;66:10;92:5, 12;93:6;104:8;111:21; 127:5;140:17 Double (1) 17:11 down (7) 51:3;53:13;108:5; 115:3;124:9;125:10,12 downtown (3) 17:23;103:10;118:10 dramatically (1) 138:22 draw (2) 70:25;77:10 Dreams (2) 130:21,21 dropping (2) 129:19;130:6 drug (1) 119:2 Drummond (1) 119:17 D's (1) 93:1 dude (1) 133:18 duly (1) 4:5 during (7) 25:14;28:11;33:5; 50:3;60:9;72:16;89:9 duty (38) 5:19;21:6,7,11;22:8, 12;37:13;52:9,11,16, 21;53:17;58:2,15; 64:16,17;70:20,22,24; 71:1,1,8,9,13,22;72:18, 22,23;73:5,8,8,14,25; 74:14;90:18;94:20; 96:22;134:24	62:10,20;64:2,4,7,19; 90:4;138:22 easterners (2) 63:4;133:9 education (2) 5:10;117:12 eight (3) 14:9;18:5;20:7 either (12) 19:24;59:5,13;62:4; 74:13;86:22;92:18; 93:13;95:18;100:21; 107:17;115:10 else (18) 17:18;20:3;33:17; 46:6;55:1,7;64:11; 89:5;106:5;107:10,13; 110:24;114:2;115:21; 120:23;128:25;129:11; 137:11 else's (1) 67:19 email (10) 15:1,5,12,14,17; 19:17,21,23;65:1,9 embarrass (1) 77:20 embarrassment (1) 76:4 employed (1) 5:6 employee (1) 125:17 employer (1) 8:5 employment (12) 7:20;8:7,15;10:24; 12:22;14:1;17:18; 18:25;35:14;72:17; 116:25;128:17 encounter (1) 89:22 end (1) 125:13 enforcement (1) 119:4 engage (2) 87:20;103:10 Engagement (1) 116:21 engaging (3) 35:14;90:17;110:4 engine (1) 104:6 enlisted (1) 5:14 enough (1) 102:20 entered (1) 132:8 Enterprise (2) 17:21,22 Enterprises (5)
				E
				East (3) 10:14;103:9;139:5 eastern (14) 38:4;48:24;51:4; 53:15;60:23;61:19;

18:10;16,22,24;20:6 entire (2) 4:23;131:20 entities (1) 14:4 entitled (3) 33:2,6;50:8 especially (1) 107:23 essentially (1) 118:15 esteem (2) 90:19;91:1 estimate (1) 7:2 ethic (3) 41:15;60:4,14 ethical (2) 89:18,23 ethnic (3) 42:21;135:6;136:25 ethnicities (2) 135:6,11 even (6) 63:3,6,8;69:14;89:1; 137:9 event (2) 94:18;124:25 Everybody (1) 136:15 everyone (4) 78:24;109:4;111:25; 136:12 everyone's (1) 136:25 everywhere (2) 104:1,4 evidence (19) 16:25;33:14;36:18; 37:5;65:18;67:17; 68:16,25;69:8,18,24; 70:6;75:22,23;76:11; 77:18;83:1;96:17; 114:7 exact (10) 10:13;23:23;25:12, 22;26:19;49:2;68:11; 87:17;100:11;129:14 exactly (9) 8:12;9:5;26:19;39:1; 41:7;71:20;101:6; 105:14;125:6 examined (2) 4:6;123:18 example (1) 60:4 excellent (1) 25:3 except (2) 50:5;127:5 exchange (10) 46:19,20;47:25;48:7, 11;49:17;50:23;52:10;	53:18;100:23 Excuse (1) 65:5 Exhibit (35) 20:18,21;26:24;27:6; 29:5,8,10,18;30:16,17; 31:4,7,13,20;32:6,7,12, 15;33:12,16,20;34:23; 36:23;49:4,9,23;50:14; 62:8;83:6;84:14;87:25; 95:6,7;129:22,24 exist (1) 126:3 exists (1) 124:6 expected (1) 84:11 Expeditionary (3) 23:19,21,22 experience (4) 37:9;38:13;42:13; 117:12 expert (1) 100:16 explain (1) 103:3 exposed (1) 28:21 express (4) 16:19;47:20;101:7, 10 expressed (3) 91:10;112:21;113:6 expressing (1) 91:4 expulsion (1) 129:15 eye (2) 108:7;135:15 eyes (1) 90:21 F face (3) 85:11;103:7;132:18 fact (9) 54:18;57:14;60:13; 65:21;80:11;101:2; 104:19;112:12;127:24 factitious (1) 57:19 factors (2) 83:19;85:7 facts (5) 16:25;76:22;77:11; 92:14;96:23 fag (1) 134:19 failed (1) 87:3 failing (3) 28:14,20;81:12	failure (3) 25:16;58:21;82:21 fair (11) 31:14;55:13;74:1; 86:1,21;89:12;102:20; 107:8;111:10;135:4,8 Fairview (2) 5:12;115:1 faith (3) 38:22;63:1;137:19 falling (1) 130:23 false (6) 65:19;66:2;68:18; 69:2;106:14,16 familiar (2) 84:8;102:19 family (9) 103:17,18,19,22,23; 111:8,14;112:12,13 far (6) 72:5;79:22;95:10; 108:14;139:1,6 father (8) 103:22;112:15,17; 113:1,6,18;114:2; 115:10 father's (1) 114:19 federal (2) 135:25;136:9 Feel (13) 84:22;89:14;95:18; 104:8;107:16;109:3,6; 111:7;120:22;121:15, 21,22;123:2 feels (2) 109:1;125:14 fell (1) 93:2 felt (3) 89:10,11;109:7 few (3) 5:25;15:9;21:4 fight (8) 53:21,23,24;54:10, 11,12;57:6;139:18 file (2) 36:20;136:9 filed (9) 20:25,25;47:4;66:4; 102:7;106:23;129:1; 135:19,25 filing (1) 44:10 final (1) 131:1 find (7) 34:24;40:14;83:15, 16;91:11;123:21; 136:19 finding (2) 60:12;81:7	findings (2) 29:12,13 fine (7) 52:5;116:2;119:25; 126:9,25,25;140:8 finish (3) 4:20,22;55:20 finished (1) 115:2 fire (2) 115:17,23 firefighter (1) 132:22 fireman (1) 115:23 first (16) 4:5;5:19;9:20;14:25; 21:15;22:7,8;26:6; 28:8;32:12;37:10,18; 72:8;83:12,19;130:8 five (4) 45:1;105:21;129:25; 130:4 fix (1) 50:5 fixing (1) 115:24 flights (1) 130:15 floating (1) 126:7 flying (2) 129:9,17 focus (1) 118:25 Follmer (5) 101:2,5,18;105:12; 132:8 follow (3) 28:20;84:11;136:24 followed (5) 63:6;82:6;92:14; 95:10,11 following (7) 5:18,22;76:15,15; 131:7,11,12 follows (1) 4:7 follow-up (5) 12:12,22;13:13; 18:15;19:9 foot (1) 103:9 force (4) 58:20;82:10;100:15; 132:1 forever (1) 104:4 forgoing (1) 118:15 Form (5) 16:17;32:21;33:1; 38:3;50:5	format (1) 50:6 former (1) 48:22 for-pay (1) 8:15 forth (2) 128:6,8 forward (2) 6:23;124:13 found (14) 25:23;28:24;29:13, 15;80:18;81:11;86:18, 21;87:2;94:19;119:20; 120:15;128:6;137:3 founded (1) 81:8 four (10) 5:21;6:8;21:6,11,16, 18,22;22:14;84:18; 128:16 fourth (2) 21:21;130:19 frame (3) 9:10;11:17;19:3 frames (1) 36:10 free (1) 84:22 freedom (2) 72:9;129:4 friend (2) 57:21;89:3 friends (5) 41:1,3;111:8,14; 133:22 front (1) 131:9 full (1) 83:12 funny (1) 57:5 furloughed (1) 22:9 future (2) 103:2;107:17 G Garrity (3) 34:12,17;89:10 gave (2) 34:17;111:7 general (8) 37:23;44:8;53:23; 78:23;84:4;87:14; 112:23;131:18 Generally (2) 8:23;38:17 gentlemen (1) 63:22 gestures (1) 139:16
--	--	---	--	---

gist (1) 61:1 given (8) 33:22,25;51:4;59:8, 15;87:10;118:23; 129:24 giving (4) 58:5;62:21;72:6; 97:17 glass (1) 132:18 Global (1) 23:18 goals (2) 16:8,10 God (1) 130:13 goes (1) 72:5 good (6) 60:19;61:15,24; 130:10;131:10;132:2 Google (5) 41:1,2;43:9,11;104:1 Gorman (13) 48:23;49:18;50:24; 51:7,10,15;52:21;62:7, 14,19;77:4,4;80:8 Gorman's (2) 76:20;77:7 government (2) 9:7;10:25 grab (1) 91:17 graduate (1) 6:6 graduated (1) 6:2 graduating (1) 5:14 granted (1) 14:16 great (1) 136:8 groin (1) 82:14 ground (2) 4:16;132:24 group (28) 29:19,22;30:4,5,8, 13;38:16,18;39:11; 63:18;64:18;83:18,24; 85:11,14,14,14,15,17, 17,23;86:3,7,8,16,18, 22;87:4 groups (2) 38:17;39:4 guarantee (1) 117:23 guaranteed (4) 117:15,17,19,20 guard (1) 37:23	guess (2) 32:11;108:13 guideline (1) 128:6 guidelines (2) 124:4;126:14 guilt (1) 81:7 guilty (11) 25:24;28:24;29:15; 80:18;81:12;83:16; 86:18,21;87:2;119:20; 120:15 guy (1) 133:18 guys (1) 16:6 H haha (9) 51:14,24;57:2;59:23; 88:17;111:4,16;112:6; 113:9 haji (70) 37:11,13,19,23,23, 23,24,24;38:9,12,20; 39:2,3,17;40:11,23; 41:4,14;42:3,9,18; 43:10;44:14;45:4,21; 51:14;56:5,24;57:6; 59:21,23;60:4,13;61:8; 63:20,25;64:8,11; 65:25;66:11;72:11; 75:7;88:17;109:24; 110:17;111:4,16,23; 112:5,11,14,22;113:2, 8,9,16,24;114:4,9,17; 121:3,24;122:2,20; 133:8;135:4,8;136:16; 137:5;138:7 hajj (4) 62:11,23;64:2; 110:18 half (1) 8:9 halls (1) 108:5 hand (1) 121:22 handed (1) 27:6 handled (1) 127:23 hanging (2) 129:6,15 happen (2) 35:21;36:3 happened (4) 9:5;22:11;78:8; 105:14 happens (1) 124:12	hard (8) 51:4;58:5,5;62:21; 104:13;107:19,21,22 harshly (1) 96:16 head (4) 56:15;95:9;106:15, 20 headlines (1) 67:3 hear (3) 12:16;14:13,25 heard (3) 107:10;124:24;127:9 hearing (33) 27:15;30:18,21; 31:10,11;33:15,22; 48:16;59:9,18;60:9,11; 61:8;65:21;66:9,12; 80:2,5,7,14;82:23; 83:14;86:14;92:3,11; 93:11;96:9;105:12,15, 17,20,21;119:14 hearings (11) 76:16,18;77:25;79:5, 11,17,19,24;80:15; 95:17;102:20 hello (1) 108:6 help (6) 52:23;53:13;57:23; 58:1,7;62:7 helps (1) 4:24 Henry (1) 114:24 hereinafter (1) 4:6 hernia (1) 82:16 hey (2) 103:19;124:10 high (11) 5:9,12,17,18;6:6; 7:16,17;118:25;129:2; 131:13,23 highest (3) 89:18,23;137:16 hired (2) 116:4,8 Hold (5) 31:2;51:19;78:4; 89:17;140:9 holding (1) 137:16 home (1) 22:15 homo (2) 134:7,9 honest (1) 89:20 honestly (1) 124:24	honesty (1) 140:18 hot (1) 119:2 house (1) 103:18 Hustler (7) 48:23;51:3;53:15; 58:6,13;62:19;75:9 hypothetical (1) 123:1 I idea (3) 6:5;16:22;110:9 identification (7) 20:19;26:25;29:6; 31:5;49:5;84:15; 129:23 identify (2) 110:11;120:21 identity (1) 106:22 idiot (1) 89:11 ifs (2) 123:3,3 II (12) 29:22;30:8;83:18,24; 85:15,23;86:3,9,16,19, 22;87:4 III (2) 85:15,17 immediately (3) 15:1;64:20;131:7 Impact (1) 116:21 impacted (1) 132:22 implicated (1) 113:2 implication (1) 42:10 implications (1) 45:15 important (2) 136:22;137:12 impose (3) 78:5;83:15;94:3 imposed (15) 73:24;83:24;86:3,8, 23;94:17,21;95:14,18; 96:8,24;119:11,18; 123:16;132:1 imposing (1) 127:6 imposition (1) 120:3 improper (2) 35:25;107:7 inappropriate (3) 120:22;121:4,6	incident (10) 10:14;26:20;27:19, 21;40:8;58:20;80:18; 81:10,11;105:11 include (3) 97:22,23;120:25 included (2) 37:19,22 including (3) 5:10;6:1;118:11 indicate (8) 17:1;56:21;70:13; 87:8;88:25;90:11; 131:19;132:3 indicated (6) 60:3,15;61:11;65:22; 66:10;92:1 indicates (4) 54:18;83:13;87:15; 93:10 indicating (5) 19:23;43:11;88:16; 110:3;131:5 indigenous (3) 39:20;40:1;44:7 individuals (1) 109:11 infer (1) 55:10 information (15) 12:25;13:13;33:14; 34:4;47:24;59:8;64:6; 68:12,25;99:25; 105:14,23;107:2; 127:10;138:15 informed (2) 42:8;116:12 infractions (1) 25:7 initial (1) 6:16 Initially (3) 9:1;101:1;135:18 injunction (1) 135:19 injured (2) 82:10;132:15 injuries (1) 132:17 injury (4) 9:1;81:18,21;82:13 innocently (1) 137:10 input (1) 121:17 inside (1) 105:16 instead (1) 108:10 instructed (1) 138:6 instructing (1) 50:14
--	--	--	---	---

instructions (1) 15:17	issue (7) 10:15;74:22;75:16; 91:6;95:5;121:22; 127:24	53:6,11,25;54:21;55:5, 14;56:25;57:10,17,24; 58:8;60:7;62:12;63:10; 64:3;66:3,7,13;67:1; 68:20;73:6,18,20;74:5, 11;75:12,15;79:2;90:5; 91:8;94:23;97:18,25; 98:6,9,15,19,25;99:3,7; 101:15;102:24;109:19; 110:6,19;122:4; 124:19;129:12;131:22; 133:2;136:11;138:2; 140:7,19	136:8 letter (15) 9:17;12:12;17:3; 27:12;29:14;31:20; 59:7;83:7;85:21,22; 87:25;94:4,11;95:8; 119:23 letting (1) 4:20 level (5) 7:17;29:19;30:4,5,13 life (3) 104:11;119:1;139:25 light (1) 57:15 limitation (4) 55:19,24;56:6; 131:15 line (3) 49:22;50:13;60:18 link (5) 76:12,23;77:10,10, 19 linked (5) 75:24;76:5,19;77:15, 24 list (30) 99:25;120:25;121:9, 13,18,24;122:7,12,17, 21,25;123:4,8,10,15, 23;124:5,7,18;125:3, 19,24,25;126:2,3,4,5, 21,23 lists (1) 126:7 little (3) 26:16;40:24;93:10 lives (2) 115:8,9 local (2) 39:20;40:1 locales (1) 40:4 located (1) 18:10 locker (1) 129:6 lodged (3) 32:14;33:14;96:4 LOL (2) 51:17,18 long (11) 4:14;8:7,22;11:20; 16:4;21:6,12,15;52:7; 84:16;138:11 look (14) 27:2;29:8;31:7;80:7; 83:6,8;84:16,22,23; 88:1;95:6;104:5; 119:16;129:24 looked (5) 40:13,13;107:20,20; 140:16	Looking (3) 22:18;36:23;103:25 lose (2) 103:2;137:19 lost (3) 9:4;103:2,3 lot (4) 44:18;93:1;126:7; 133:24 loud (1) 51:16 lower (1) 82:14
interacted (1) 88:20	J	knew (1) 63:14 knowledge (9) 12:18,21;44:24;59:3; 69:24;114:7,14; 131:25;138:17 known (3) 37:4;108:8;124:13 Kraynik (3) 76:10;77:4;80:8		
interest (1) 137:15	Jared (1) 50:8			
interesting (1) 98:4	Jeff (1) 101:2			
International (1) 19:8	Jeffrey (1) 132:8			
Internet (4) 40:16,17;104:3; 131:8	job (3) 20:6;64:16;107:17			
interpret (2) 55:2,15	jobs (2) 11:1;103:25			
interpretation (5) 42:23,24;43:20; 45:10;61:21	Joe (1) 98:24	L		
interpreted (1) 43:18	join (1) 37:17	lack (1) 23:25		
interview (11) 14:16,22;15:6,18; 17:4,13;18:15;19:9,24; 34:17;89:10	joined (4) 5:18,23;6:13;37:16	language (5) 54:15;87:20;90:11; 124:11;130:9		
into (16) 4:21;40:10;51:2; 56:23;57:6;59:13,21; 61:5,7;65:24;66:11; 85:8;103:25;136:13, 24;139:18	joining (2) 16:10;24:9	large (1) 10:14		
invasion (1) 132:6	joke (1) 57:3	last (6) 8:8;21:12;83:12; 84:17;116:16;130:16		
investigated (1) 127:7	joking (2) 57:21;133:22	later (1) 81:2		
investigating (1) 60:18	jumping (1) 24:23	Laugh (1) 51:16		
investigation (20) 40:10;58:24;59:5,13, 20,24;60:2,3,6,8,12; 61:7,10;65:24;66:10, 16;92:2,93:11;123:11; 127:2	Justice (1) 6:4	Laugh (1) 51:16		
investigator (2) 54:4;92:15	justification (1) 50:2	lawful (1) 4:5		
involve (1) 40:25	justify (1) 33:9	lawsuit (15) 28:9;44:10;46:20; 47:4;48:1;98:5;99:12; 100:21;128:11,14,19; 129:3;135:14,25;136:9		
involved (2) 134:8;135:13	K	lawsuits (1) 129:1		
involving (2) 35:12;134:8	Karen (1) 4:24	leader (2) 38:15;39:11		
Iraq (3) 5:21;7:21;38:1	keep (2) 97:16;135:14	learn (2) 41:2,14		
irrespective (1) 87:1	kind (4) 60:20;61:16;92:17; 124:15	learned (4) 41:20;42:25;43:2,4		
	KLEBANOW (94) 16:14,17;29:1,25; 30:9,22;31:16;32:8,16, 21;33:3,8;34:13;37:7; 38:6,23;40:5;41:11; 42:5,11;45:12,24;46:9, 12,16;47:17;48:8,12; 49:6,20;50:1,7,11,18; 51:19,23;52:2,5,17,25;	least (3) 85:17;86:16;124:17		
		leave (2) 7:4;9:20		
		left (4) 6:23;9:18;105:12; 127:18		
		lengths (1)		

mean (33) 8:13;53:20;54:1; 55:2,18,22;56:13; 57:19;60:9;69:9;75:10; 17:76:25;78:22;91:15; 93:9,15,18;94:16,17, 25;98:13;112:2;115:8, 23;121:11;122:5,23; 127:6;129:25;132:2; 133:23;139:12	72:25 message (51) 40:9;46:18,19;47:19, 21,25;48:7,11,19; 49:17;50:23;52:10; 53:7,18;54:13;56:21; 58:19;59:15,22;62:8, 11,15;64:10,25;65:8; 72:12;88:14;89:22; 90:25;91:7,11;92:24; 93:14;99:11,19; 100:23;101:8,11,14; 109:16;111:23;112:11; 114:4,9,17;127:3; 131:3;135:15,22; 136:17;137:4	107:12 mitigating (1) 83:19 moment (10) 31:21;54:4;60:16; 67:25;83:9;96:19; 103:6;120:24;138:8,20 monetary (1) 119:9 months (11) 11:14;14:9;15:9; 18:5;20:8;21:14,16,18, 20;22:14;81:25 moral (2) 89:18,23 more (10) 15:10;24:3;52:3; 91:17;96:15;104:9; 108:10;111:5;120:19; 136:22 morning (3) 130:10;131:11;132:2 most (1) 85:18 mouth (1) 74:6 moving (2) 6:23;90:15 much (4) 8:19;60:25;81:23; 108:24 multiple (10) 42:18;43:18,21,25; 44:3,5,25;45:4;79:19; 86:13 Muslim (6) 38:18,21,21;42:22; 63:1;64:2 myself (4) 43:4;104:5;105:15; 135:18	17:11;57:15 Neighborhood (1) 116:21 neither (1) 80:11 new (2) 46:24;124:10 news (10) 67:5;68:8,13;103:7, 13;105:17;106:10,13, 21;107:12 newspaper (2) 67:8,9 next (11) 4:22;9:14;22:16; 26:10,13;66:19;68:2, 16;69:4;75:20;90:15 NICE (7) 116:11,20;117:5,10; 118:12,14,21 night (2) 49:18;50:24 ninja (1) 133:24 nod (1) 108:10 None (1) 95:23 Nonstop (1) 130:15 NOTARY (2) 31:2;49:7 notes (1) 140:17 notice (9) 31:14,19;32:4,13; 87:10;93:18,20;94:6; 121:5 notices (1) 138:5 notifying (1) 83:7 November (1) 14:24 nowhere (2) 34:6;80:7 nukka (4) 133:20,24;134:1,5 n-u-k-k-a (1) 133:20 numeral (1) 90:16 numerous (3) 67:12;78:6;103:14 N-word (29) 66:23;67:3;70:14; 71:13,22;72:16;73:1,5, 25;74:15;75:1;96:21; 103:8,14,16,21;104:2, 12,17,21;106:11;107:4, 7,13;111:4,10,20; 112:8;113:24	O obey (1) 25:16 object (4) 32:23;33:3;36:21; 49:20 objecting (1) 50:13 Objection (73) 16:14,16;29:1,25; 30:9,22;31:16;32:8,16, 20;33:7;34:13;37:7; 38:6,23;40:5;41:11; 42:5,11;45:12,24;46:9, 12,16;47:17;49:21,22, 25;50:7;52:17,25;53:6, 11,25;54:21;55:5,14; 56:25;57:10,17,24; 58:8;60:7;62:12;63:10; 64:3;66:3,7,13;67:1; 68:20;73:3,6,18,20; 74:5;75:12;79:2;90:5; 91:8;94:23;101:15; 102:24;109:19;110:6, 19;122:4;124:19; 129:12;131:22;133:2; 136:11;138:2 objections (7) 32:22;33:4,9;50:2,4, 10,16 obviously (1) 82:9 occasion (1) 77:5 occur (4) 14:23;46:8,10;99:23 occurred (11) 25:11,21;26:17; 27:20,21;47:13;48:5; 58:18;67:11;68:6; 77:20 occurring (2) 79:5;136:1 October (5) 6:12;27:21;58:20; 80:17;82:1 off (30) 4:19;8:23;35:3;52:1; 56:15;64:5;70:20,22; 71:1,8,13,22;72:23; 73:5,8,25;74:14;81:2, 25;90:18;91:15,20; 95:9;96:22;106:15,20; 131:9,10;140:11,20 off-duty (1) 75:1 offended (1) 126:16 offense (8) 29:22;30:8,13;83:19, 19,24;86:9;87:4
meaning (23) 38:9,11;41:3,8,15, 17;42:4,10,23;43:1,12, 18;45:11;46:14;59:6, 14,21;61:7;65:24; 87:11;137:11,24; 139:12 meanings (14) 40:4,23;41:24;42:18, 19;43:21,25;44:3,5,25; 45:5,7;122:12;134:4 means (4) 39:2;40:14;54:8; 55:25 meant (4) 39:17;54:10;84:23; 127:7 Mecca (3) 38:15;44:8;63:12 Medal (10) 22:23,24;23:2,7,8,11, 14,15,19,24 media (8) 67:5,12,14;68:8; 104:19;105:13,17; 136:13 medical (2) 82:17;120:9 Medina (2) 100:7;101:18 meeting (3) 89:1;99:16;100:1 meetings (2) 99:10;102:21 member (11) 30:25;97:7;98:21; 99:18;100:7;109:5; 112:12,13;115:10; 117:15;131:24 members (11) 23:10;39:20;40:1; 103:10,12,18,22; 105:16,16;115:14; 131:12 memory (1) 48:3 men (3) 60:23;61:19;75:9 mental (2) 120:4,8 mercy (1) 130:13 mere (1)	messed (2) 76:25;77:3 messages (2) 49:14;135:2 Metroparks (7) 14:5,13,18,25;15:24; 16:11;20:6 Michael (1) 4:10 mid (1) 7:17 middle (17) 38:4;48:24;51:4; 53:14;60:23;61:19; 62:9,20;63:3;64:1,4,7, 19;90:4;133:9;138:22; 139:5 might (3) 57:8;64:18;123:13 military (14) 5:15,23;22:3,12; 38:4;39:19,20;40:2; 129:9;130:5;131:12; 138:6,18;139:21 mimicked (1) 82:17 mind (1) 91:16 Mine (1) 51:23 minimum (4) 83:23;86:7,23;87:5 minutes (3) 16:5;45:2;105:21 misinformation (1) 107:3 miss (1) 81:20 missing (1) 107:14 mission (1) 88:2 mistake (3) 105:3,7,10 mistaken (2) 104:24;106:9 mistakenly (1)	N Nam (1) 131:11 name (6) 4:10;5:3;12:2,2; 114:19;138:9 names (3) 108:19,20;138:12 National (3) 23:6,8,15 nature (2) 45:8;87:22 necessarily (1) 139:25 need (5) 20:14;40:17;71:19; 84:23;117:25 needs (1) 124:3 negative (2)	Neighborhood (1) 116:21 neither (1) 80:11 new (2) 46:24;124:10 news (10) 67:5;68:8,13;103:7, 13;105:17;106:10,13, 21;107:12 newspaper (2) 67:8,9 next (11) 4:22;9:14;22:16; 26:10,13;66:19;68:2, 16;69:4;75:20;90:15 NICE (7) 116:11,20;117:5,10; 118:12,14,21 night (2) 49:18;50:24 ninja (1) 133:24 nod (1) 108:10 None (1) 95:23 Nonstop (1) 130:15 NOTARY (2) 31:2;49:7 notes (1) 140:17 notice (9) 31:14,19;32:4,13; 87:10;93:18,20;94:6; 121:5 notices (1) 138:5 notifying (1) 83:7 November (1) 14:24 nowhere (2) 34:6;80:7 nukka (4) 133:20,24;134:1,5 n-u-k-k-a (1) 133:20 numeral (1) 90:16 numerous (3) 67:12;78:6;103:14 N-word (29) 66:23;67:3;70:14; 71:13,22;72:16;73:1,5, 25;74:15;75:1;96:21; 103:8,14,16,21;104:2, 12,17,21;106:11;107:4, 7,13;111:4,10,20; 112:8;113:24	O obey (1) 25:16 object (4) 32:23;33:3;36:21; 49:20 objecting (1) 50:13 Objection (73) 16:14,16;29:1,25; 30:9,22;31:16;32:8,16, 20;33:7;34:13;37:7; 38:6,23;40:5;41:11; 42:5,11;45:12,24;46:9, 12,16;47:17;49:21,22, 25;50:7;52:17,25;53:6, 11,25;54:21;55:5,14; 56:25;57:10,17,24; 58:8;60:7;62:12;63:10; 64:3;66:3,7,13;67:1; 68:20;73:3,6,18,20; 74:5;75:12;79:2;90:5; 91:8;94:23;101:15; 102:24;109:19;110:6, 19;122:4;124:19; 129:12;131:22;133:2; 136:11;138:2 objections (7) 32:22;33:4,9;50:2,4, 10,16 obviously (1) 82:9 occasion (1) 77:5 occur (4) 14:23;46:8,10;99:23 occurred (11) 25:11,21;26:17; 27:20,21;47:13;48:5; 58:18;67:11;68:6; 77:20 occurring (2) 79:5;136:1 October (5) 6:12;27:21;58:20; 80:17;82:1 off (30) 4:19;8:23;35:3;52:1; 56:15;64:5;70:20,22; 71:1,8,13,22;72:23; 73:5,8,25;74:14;81:2, 25;90:18;91:15,20; 95:9;96:22;106:15,20; 131:9,10;140:11,20 off-duty (1) 75:1 offended (1) 126:16 offense (8) 29:22;30:8,13;83:19, 19,24;86:9;87:4

offenses (8) 85:4,12,14,23;86:4, 16,19,22 offensive (16) 44:15,16;121:4,6; 122:1,3;123:24; 124:17;125:1,15,21; 128:7,8;129:16; 136:19;137:5 offer (4) 16:11;69:1;70:6; 96:17 offered (1) 83:1 offering (1) 74:9 offhand (1) 18:13 officer (62) 6:19,21;10:1;25:2,6; 48:22;49:17;51:10,15; 52:21;53:4,8,8;58:2,3; 59:11;60:18;62:14,19; 66:22;67:2,3,24;68:3; 69:7;70:11,17,19,24; 71:21;72:18,21;73:24; 74:14;75:1,25;76:6,9, 20;77:4,7;78:19;80:2, 8;83:14;84:7;85:10; 94:20;96:21;100:7; 101:18;103:7,14,15; 104:2,3;105:12;108:1; 110:2;123:5;125:17; 137:7 officer/park (1) 14:7 officers (12) 52:9;78:6,9;80:15; 107:24,25;108:5,14; 121:14;124:1;136:24; 137:16 official (3) 52:23;57:22;70:3 oftentimes (1) 103:8 Ohio (1) 138:24 old (1) 46:25 once (2) 37:16,16 one (33) 21:12;24:9;35:22; 36:2;51:20;52:2,7; 53:7;58:2;68:21;72:1; 74:3,25;80:11;86:22; 91:10;97:2;101:18; 105:11;108:9;111:5; 117:24;124:15,17,23; 128:22;130:4,11,14,19; 131:1,9;139:24 ones (1) 118:4	online (11) 6:2;11:24;12:6;13:7; 14:20,21;18:6,7;19:4; 40:13,21 only (8) 10:19;22:14;38:14; 77:23;105:15;121:21; 135:4,9 open (3) 12:9,19;13:11 operational (1) 22:16 operations (2) 22:13;131:24 opinion (27) 71:6,12,16,18;72:1, 2;73:10,11,15,19,21, 23;74:9,13,18,22,24; 82:4;91:4,10;92:9; 93:2,3;97:2;121:17; 136:12,15 opinions (1) 137:1 opportunities (2) 107:18;117:13 opportunity (3) 33:23,25;93:24 opposition (1) 83:1 order (3) 25:17;76:4;87:14 ordered (1) 78:24 orders (6) 78:23;80:21;81:4; 84:4;120:14;121:20 ordinary (1) 79:22 organization (1) 17:23 origin (1) 67:6 others (2) 52:13;96:16 Otherwise (2) 10:22;50:9 ours (1) 51:19 ourselves (1) 89:17 out (17) 6:11;10:20;12:7; 24:23;40:14;51:16; 56:24;68:14;77:14; 79:22;94:4;96:8; 118:23;130:15;132:25; 135:15,20 outcome (2) 92:9;96:6 outlet (1) 68:9 outlets (4) 67:5;105:13,17;	107:12 outline (1) 27:17 outside (8) 14:1;43:6;91:5;97:6; 99:4,18;100:25;128:17 over (11) 4:25;65:17;100:4; 103:7,25;119:13; 129:9,17;130:5,23; 140:16 overall (1) 117:23 overseas (8) 9:2;22:14;37:20; 38:1,13;39:4,13;44:9 overt (1) 109:10 Overtime (8) 117:12,14,21,22; 118:1,3,16;119:7 Owens (4) 19:1,15;20:1,5 own (3) 103:22;109:8;113:1	24:12;28:16;64:1; 111:11;135:25;139:21, 24 partial (2) 107:9;132:18 participation (1) 24:1 particular (6) 24:1;85:11;96:23; 105:2;121:18;137:1 particulars (1) 135:21 partner (1) 103:8 parts (3) 104:22;139:13,19 party (6) 90:7;103:17;106:7; 128:10,18;135:13 passed (1) 37:17 past (2) 78:8;128:11 Patrol (6) 6:19,21;9:25;14:7; 37:24;103:9 pay (8) 13:3,23;86:11,24; 87:6;117:6,7;119:6 people (45) 23:16;39:20;40:1; 44:7,15;51:4;56:20; 57:8,11,13,14,18;58:4, 5;62:21;64:18;72:7; 79:16;88:8;103:12,15, 24;106:6;107:20,20,23, 23;108:8,16,16,21; 109:21;110:10,17; 111:9,20;123:12,13; 134:14;135:5,11,11; 136:19;138:11,13 per (2) 122:2,5 perceive (1) 137:11 perceived (2) 111:1,25 perform (1) 23:11 performed (1) 66:17 perhaps (1) 110:14 period (3) 10:19;15:7;128:9 permission (1) 118:7 person (11) 39:7;44:6,7;73:4; 90:9;117:24;122:24; 125:4;137:3;138:9,17 personal (3) 7:16;61:21;137:24	personally (1) 91:13 personnel (1) 90:20 persons (12) 38:5;42:22,22;62:22, 25;64:8;88:17,18,22; 91:2;137:3;138:17 pertain (1) 129:5 pertaining (1) 99:12 PETITT (10) 4:4;5:4,5;75:7;76:6; 104:3;112:20,21; 114:20;115:6 phase (1) 102:5 Phoenix (1) 6:3 phone (17) 14:16,22;15:18;16:7; 17:4,12;46:24,25;47:2, 6,18;76:20;77:7;100:4; 105:25;106:2,5 photo (1) 67:18 photograph (11) 49:11,14;66:21,21; 67:7,15;68:2,23;69:11, 15;70:10 photographs (2) 69:5;131:17 photos (2) 132:10;133:5 phrase (11) 58:19;73:13;92:23; 111:3,15;112:5;113:8; 114:4;124:24;137:1,23 phraseology (1) 101:13 phrases (2) 94:19;139:4 phrasing (1) 41:5 physical (3) 56:23;82:9;110:4 physically (1) 81:16 picture (3) 67:2,23;132:3 pictures (2) 129:6;131:8 Pike (30) 4:9,10;16:16;26:23; 29:4;31:3,25;32:19,25; 33:6;35:8;48:10,14; 49:3,25;50:4,8,16; 51:21;52:4;75:13; 84:13;91:25;98:3,14, 17;129:20;140:5,9,16 place (1) 87:15
--	--	---	--	--

places (1) 6:1 Plaintiff (2) 75:6;76:5 planes (4) 24:23;129:9,18; 130:5 play (1) 131:10 Please (14) 35:2;38:25;45:17; 48:4;51:2;54:5;55:20; 60:16;83:9;84:13,17; 95:20;113:6;125:9 pm (1) 140:22 point (9) 6:16,23;69:18;98:4; 124:13;126:19,21,23; 127:15 Police (71) 5:23;6:14,24;7:5; 8:11,16;9:15,24;10:12; 14:2;25:2,6;28:12,20; 35:19;52:23,24;53:4,8; 8,10;57:23,25;58:2,3,7; 14,24;59:4,16;64:12; 22,23;65:2;69:7;70:11, 24;71:21;72:18,21; 75:18;78:23;79:15; 80:21;81:4;82:5;84:4; 7;85:9;87:14;88:3; 90:20;91:2;94:19; 103:15;104:2;109:6,8; 110:2;115:11,14; 117:16,21;119:21; 123:5;125:22,24; 136:23;137:6,15,20 policies (2) 120:14;121:20 policy (4) 80:21;87:14,18; 136:23 poor (1) 108:25 portion (1) 89:17 position (35) 12:19;13:4,11;16:20, 23;17:1,7;18:2;19:6, 16,25;20:1;70:15;74:1, 3,19,25;75:3;100:9,11; 116:5;118:24;123:5, 14,17,25;124:3,8; 125:3,6,15,22;126:10, 13,14 positions (8) 11:6;12:9,10;20:10; 116:8,10,25;118:9 possess (1) 68:4 possession (1) 46:21	possible (13) 41:22;45:9,10; 109:15,20,22,25;110:1, 8,16,21,23;136:21 Possibly (2) 75:16;139:2 posted (4) 67:23;131:5;132:10; 133:4 posters (8) 129:6,8,16,25;130:1, 5;131:4,11 potential (4) 28:11;52:24;53:10; 58:4 predisciplinary (5) 27:15;30:18,21; 31:11;33:15 prefaced (1) 62:16 prejudice (1) 88:9 presence (2) 97:7;99:18 present (11) 65:22;66:9;97:12,14; 98:10,11,20,23,24; 105:12;139:6 presented (1) 127:14 presently (1) 46:21 preserved (1) 50:17 presided (1) 119:13 president (2) 101:3;105:18 pretty (1) 60:25 prevent (2) 136:1,9 previously (2) 128:4,4 print (1) 12:6 prior (3) 94:6,17;118:6 probably (2) 4:10;139:18 probe (1) 48:3 problem (12) 54:2,8,19;55:3,4,11; 56:23;88:16,25;110:2; 111:3,16 procedure (1) 95:12 procedures (2) 36:9;90:16 proceed (1) 15:18 proceeding (2)	58:18;78:20 PROCEEDINGS (5) 4:1;70:21;79:9; 99:21;102:22 process (17) 11:22;36:19;92:10; 93:5;95:12,16;101:25; 102:3,17,19,21;108:23; 117:2;120:3;127:2; 128:2;138:1 processes (1) 11:9 professional (3) 25:4,5;120:10 progressed (1) 10:11 proper (5) 50:2;81:12;82:6,22; 87:3 properly (1) 108:12 protection (1) 7:17 Protective (1) 11:7 provide (2) 33:23;34:4 provided (2) 7:16;33:18 provides (1) 85:9 provision (1) 117:20 provisions (1) 94:2 public (6) 89:19;90:21;135:15, 22;136:10;137:10 publication (4) 67:11;68:6,14;77:13 publications (3) 106:10,13,22 published (3) 67:4,7;68:2 punishment (2) 76:15;87:12 purpose (1) 30:20 pursuant (3) 78:19;80:20;101:22 purview (1) 35:18 put (9) 31:14;32:4;68:14; 77:14;93:18,19;103:6; 118:3;122:7 putting (5) 4:24;8:13;74:6; 92:20;93:1	55:17,18,23 qualifier (1) 97:17 qualifying (1) 54:15 quality (1) 118:25 quantify (2) 107:19;108:12 quicker (1) 44:19 quote (5) 53:14;62:20;63:23; 66:23;82:17	9:16 reason (15) 13:16;16:19;18:19; 19:12;29:24;30:7; 36:20;66:15;77:16; 78:13;84:1;90:7; 109:20;132:9;133:17 reasonably (2) 90:19;91:1 reasons (1) 77:23 recall (45) 7:1;10:13;15:4,21, 22;16:1;20:12;21:13; 23:3,5,7;25:12,15,22; 26:4,9,10;35:16;36:1,4, 8,9,15;43:13,14,16; 47:12;49:2;52:12;65:7; 67:9;68:7;79:10;81:13; 87:17;95:9;99:14; 100:11,14;101:12,16, 19;106:15;128:25; 132:20 receive (24) 12:12,22;13:13,17; 16:11,20,22;17:1,3,6; 18:15;19:9,14,19; 23:11;26:1;27:14; 31:19;102:9,11;117:1, 21,25;118:6 received (25) 9:1;11:20;15:1,2,5, 12;19:17;25:7;27:7,12; 30:16,17;31:13,20; 32:7,13;62:6,14,16,18; 97:3;99:24;101:1; 116:7;118:16 receiving (3) 15:6;87:5;108:24 recess (3) 35:5;91:22;140:13 recognize (5) 20:21;27:4;49:11,13; 103:13 recognized (1) 22:25 recollection (11) 26:8,17;34:16;35:22, 23;48:4,11,18,20;86:2; 114:7 recommendation (3) 83:14;127:20;129:15 recommended (1) 23:2 record (13) 4:2,25;5:3;25:4;35:3, 7;51:2;61:5;91:20,24; 140:11,15,20 records (3) 35:17;64:22,23 recruiting (1) 12:10 redaction (1)
			R	
			race (2) 107:25;108:3 racism (2) 104:12;112:23 racist (12) 103:16,21;104:2; 111:25;112:2,4,7; 113:3,14,15,20;114:16 raises (1) 98:3 range (2) 37:14;86:2 Ranger (7) 5:19,20;14:7;24:11, 16,19;37:18 Rangers (1) 24:13 ranges (2) 21:8,9 ranging (1) 37:22 rank (2) 6:16,17 Rarely (2) 117:17,19 rate (1) 13:3 rationale (1) 110:21 read (15) 31:25;32:2;45:18,19; 50:19;51:2;56:21;61:5; 72:13;83:20;88:7,12; 90:21;109:15;140:19 reading (3) 48:16;55:1;61:13 realize (1) 92:8 really (5) 32:11;40:12;132:19; 136:22;137:25 realtor (1) 17:23 Realty (1) 17:25 reapply (1)	
		Q		
		qualification (3)		

105:1 redeployed (1) 22:5 re-enlisted (1) 22:1 refer (12) 38:4;39:10;12;42:21; 63:20;64:7,11;104:20; 133:8;135:5,9,10 referenced (1) 62:10 referencing (1) 28:11 referred (3) 22:19;60:12;64:21 referring (6) 37:14;63:18;88:18; 90:3;130:2;134:14 refers (1) 38:21 refreshed (1) 86:1 regard (16) 12:25;26:2;28:1; 29:18;30:3;40:9;52:23; 53:9;68:13;86:2,13; 95:13;107:15;108:2; 120:10;135:17 regarding (19) 13:14,21;19:16;20:1; 22:20;28:21;36:6,19; 49:23;50:13;54:15; 58:21;71:17;87:10; 99:10;100:21;101:21; 102:21,22 regards (4) 9:10;25:5;107:16; 128:23 Regiment (1) 5:20 regulations (2) 28:21;94:7 reiteration (1) 29:11 Related (3) 65:2;100:17;120:6 relates (4) 28:8;100:19;121:10; 124:21 relating (1) 108:3 relation (1) 111:2 relative (1) 36:10 relatives (2) 115:13,16 released (6) 66:20;67:18;68:23; 69:11,14;104:23 releasing (2) 69:5;70:9 relevant (1)	137:25 religion (1) 63:6 remainder (3) 10:18;84:23,24 remains (1) 132:25 remarks (1) 28:10 remember (4) 34:20;101:4;129:13; 138:12 repeat (4) 31:23;76:2;111:5; 135:7 repeatedly (1) 66:22 rephrase (5) 38:25;45:17;63:19; 71:19;80:3 replied (1) 34:11 representation (3) 50:23;89:12;105:19 representing (3) 98:4,11,23 reputation (5) 77:21;107:17;114:3, 8,16 reputational (1) 76:4 request (3) 58:10;62:18,18 requesting (3) 53:9;58:3,12 required (2) 78:4;84:7 reread (2) 36:11;125:8 research (9) 40:10,22;43:9;59:5; 60:21;61:17;65:14,23; 66:11 reservations (1) 110:4 reserved (1) 50:5 resigned (1) 9:22 respect (74) 11:15;12:13;13:6; 14:22;15:18;19:10; 22:22;23:6,14;27:8; 29:13;30:12;32:5; 33:16;34:7,10;36:5,13, 16;39:17;40:16;41:9; 42:15;46:18;50:17; 53:14;56:4;58:17,18, 24;60:13;67:19;68:18; 71:3;73:17;75:25;79:4; 80:17;81:10,15;82:1, 11,21;83:3,5;87:24; 88:5,14,19,21;89:16,	22;92:2,3,10;94:16; 96:14,18,20;101:22; 107:3;111:21,22; 112:10;115:5;116:5; 125:7;127:1,3,5; 132:21;135:1,14; 137:22 respectful (1) 88:22 respects (1) 40:15 respond (5) 4:17;33:25;53:3; 75:18;93:24 responding (1) 75:8 responds (2) 51:10,15 response (5) 12:12;51:8,13;57:22; 133:4 rest (1) 104:11 restrain (1) 81:16 restroom (1) 35:1 result (12) 27:19;60:6;81:15; 87:12,16;94:12; 107:12;116:6;117:1; 119:10,19;120:2 resulted (3) 87:5;117:5;119:6 results (7) 60:2,8;61:10;93:12; 102:9,11;104:6 retire (1) 9:18 retraction (2) 105:1;106:24 return (2) 9:17;22:15 returned (4) 8:15;9:15;10:17; 11:2 review (2) 49:8;119:15 Ribbon (1) 24:7 rid (2) 47:2,18 right (83) 4:16;8:3,5,19;9:11; 20:20;24:24;30:15; 31:9,13;34:25;36:18, 23;39:16;42:2;43:21; 46:1,11;52:5,20;62:1; 64:7;69:15,17,20; 72:10;74:4;79:4,24; 80:23;82:19;83:5;85:9, 18;92:18,20;93:16,18, 21,23,25;94:4,7;95:3,	24;97:1;98:25;99:17; 101:4;109:24;110:7, 12,14;114:1;116:25; 118:14;123:9;124:20, 25;126:25;127:7,12,16, 25;128:2,10;130:4,19; 132:9;133:1;134:17; 136:5,15,17,22;139:2, 14,19;140:1,3,3,5,7 River (1) 116:1 Road (1) 114:24 Robin (1) 131:10 Rocky (1) 116:1 roll (1) 80:25 Roman (1) 90:16 room (2) 97:24;132:8 roster (1) 118:6 rough (1) 48:20 roughly (1) 25:3 round (1) 37:10 route (1) 51:5 rubble (1) 132:25 rule (3) 95:11;124:15,23 rules (9) 4:16;28:20;71:14; 94:2,6,10,25;95:4,12 run (3) 21:2;22:21;98:17	scheduled (1) 117:22 school (13) 5:9,12,17,18,25;6:6; 24:17,18;129:2,7; 131:5,14,23 Scrolling (1) 24:24 se (2) 122:2,5 Sean (2) 48:22;51:7 search (2) 104:6,6 Second (9) 10:15,16,20;21:17; 22:8;28:1;34:24;83:12; 130:11 secondary (1) 35:14 security (6) 7:6,14,16;11:7;18:3; 19:8 seeking (1) 136:1 seems (1) 132:3 selected (5) 19:18,24;37:18; 116:17;118:22 send (1) 55:6 sending (1) 54:23 senior (2) 5:15,17 sensitivity (5) 78:3,4,10,18,25 sent (4) 10:16;55:8,8;78:2 separate (7) 7:25;11:8;78:4,18; 80:4,14,15 serious (1) 85:17 serve (1) 23:16 served (3) 5:20;6:8;25:1 service (8) 5:22;23:6,8,9,11,15, 22;24:7 services (2) 23:21;118:10 set (4) 117:22;118:4;128:6, 8 seven (6) 11:14;14:9;18:5; 20:7;21:20;86:10 several (4) 27:23;67:5;79:8; 102:17
			S	
			same (17) 11:11,17;13:7,23; 14:10;19:3;76:14,18, 18;78:1,2;79:5,12,24; 81:10;89:4;133:17 Saudi (1) 63:8 saw (3) 103:20;113:21; 131:13 saying (16) 19:17;35:21,23;36:3; 39:18;44:22;72:9; 77:15;112:3;113:5; 121:16;122:2,20; 123:9;124:10;133:12 schedule (1) 79:19	

severely (1) 96:16 severity (1) 29:19 Short (3) 35:5;91:22;140:13 Shortly (1) 99:24 show (4) 20:20;31:6;132:11; 133:6 shows (1) 104:6 side (5) 33:23;92:21,22;93:3; 127:9 sides (1) 127:14 sign (1) 118:20 Signature (1) 140:23 sign-off (1) 118:5 similar (2) 23:14;78:5 simply (1) 107:25 singular (2) 75:6;87:11 sister (1) 132:15 sit (9) 33:9,10;69:23;70:5; 114:1;124:9;125:10, 12;138:16 situation (1) 124:5 situations (1) 74:17 six (9) 21:14;83:7,18;84:2; 86:10,23;87:6;104:9; 119:18 slang (2) 38:4;134:1 slogans (1) 131:9 slur (4) 41:15;42:21;60:5,14 small (2) 38:15;82:14 SOC (9) 11:5,13,23,25;12:2, 14,23;13:21;20:6 society (1) 138:21 somebody (7) 39:13,24;53:24;55:1, 15;77:3;133:19 somehow (1) 103:3 someone (17)	22:24;46:6;53:20; 54:8;55:4,7,10,12; 71:1;72:15;73:11;89:5; 124:6;125:23;126:11, 16;137:10 someone's (1) 70:22 Sometime (1) 15:4 Sometimes (2) 118:10;140:2 somewhat (1) 88:24 Somewhere (1) 47:7 soon (3) 51:9;130:15,17 sophomore (2) 131:13,23 sorry (34) 6:18;9:10;27:9;31:3, 21;32:11;36:14;45:20; 47:22;50:21;51:11; 55:20,22;63:18;68:21; 71:19;76:2;91:15; 92:25;93:8;95:7; 102:25;107:15;111:3, 5;115:1,3,22;117:18; 119:24;126:8,22; 129:25;135:7 sort (4) 120:8;124:9,10; 128:5 sought (1) 105:1 source (4) 67:13;105:23;107:1, 2 speak (2) 38:17;89:5 Speaking (5) 32:21;33:4;89:4; 133:13,18 special (3) 22:13;131:2,24 specialized (1) 116:18 specific (5) 15:10;105:11; 109:10;110:10;120:19 specifically (1) 24:4 specification (14) 28:8,14,19;29:18,20; 30:3,5,12;34:8,8,10; 58:21;83:3;100:17 specifications (8) 27:9,18;28:2,5; 29:11,15;59:1;119:20 specify (1) 121:13 speculate (1) 26:21	speculating (1) 121:15 speech (3) 72:9;90:17;129:4 spelled (2) 94:3;96:8 spoke (1) 15:23 spoken (1) 100:24 spots (1) 119:2 stand (1) 11:25 standard (2) 116:14;128:8 standards (3) 89:18,23;137:17 standing (4) 69:6,12;70:1,10 stands (1) 73:21 Stark (7) 17:21,22;18:10,16, 22,24;20:5 start (3) 9:11;76:20;105:24 started (2) 5:25;132:6 starting (1) 5:9 state (8) 5:3;6:1;7:7,8,13,25; 8:2;120:21 stated (5) 64:4;89:10;92:16; 96:10;125:6 statement (19) 34:12,17;54:3,6; 56:4;57:3,15,20;61:4; 70:11;72:24,25;74:1,7, 24;75:3;88:2;89:12; 104:24 statements (2) 106:14,17 states (9) 22:9,20,22;24:6; 60:18;61:14;86:10; 138:22;139:17 stating (6) 15:2;50:1;57:25; 61:22;74:19,21 status (2) 60:23;61:18 stay (1) 10:7 stayed (3) 10:7;22:1,11 stemming (1) 37:9 step (1) 102:17 still (19)	6:21;12:9,10,19; 13:11;15:14;19:21; 22:3;32:3;46:21,25; 54:4;89:14;102:3; 114:21;115:9;123:25; 125:13,16 stop (5) 28:17;51:3;81:13,15; 135:19 stopped (2) 9:8,11 story (3) 33:23;127:9,15 strike (8) 11:21;44:11;60:10; 61:3;75:22;90:14;92:1; 116:3 strip (1) 75:9 structure (1) 13:23 study (1) 65:14 subduing (1) 82:11 subject (7) 37:25;46:20;47:25; 70:20;71:16;100:16; 125:2 subjects (1) 37:15 submit (1) 9:17 submitted (3) 12:6;14:18;18:17 substance (1) 16:1 successful (1) 136:5 sudden (1) 108:9 suffer (1) 132:17 suffered (3) 81:17;82:13;120:4 summer (1) 11:18 superman (1) 130:20 support (7) 37:6;69:19;70:7; 77:19;109:11;132:11; 133:6 supported (1) 127:11 supports (1) 36:19 suppose (1) 13:4 supposed (1) 80:23 supposedly (1) 85:8	sure (39) 8:12;9:5;12:11; 15:15;19:20;23:12; 25:20;30:2,24;31:22, 24;32:3,4,12;39:1; 42:20;45:18,21;47:23; 50:22;55:15,21;56:19; 59:11;60:17;63:20; 71:21;76:3;79:7;80:4; 83:10;88:23;111:6; 124:21;132:5,22; 134:12,21;135:8 surfaced (2) 108:23;124:11 surprised (1) 94:14 surrounding (1) 96:23 suspect (2) 81:17;82:11 suspended (4) 26:1;85:6;129:13,14 suspension (9) 83:8,18;86:10,24; 87:6;104:9,10;119:19; 120:3 sworn (1) 4:5 symbol (2) 60:23;61:18
T				
Tab (1) 24:11 table (3) 84:18;85:3;86:7 tactics (1) 36:7 talk (6) 4:25;15:16,20;25:1; 55:16;113:1 talked (1) 93:9 talking (13) 8:10;15:7;41:1,3; 48:9;76:9;89:1;92:4; 103:11;116:10;122:7; 123:10,23 Talks (1) 21:5 target (1) 132:4 taser (1) 35:25 tattoos (3) 28:22;58:22;80:20 taught (5) 39:9;40:6,19;41:5,25 tear (1) 82:14 TECHNICIAN (8) 4:2;35:3,6;91:20,23;				

140:11,14,20 techniques (5) 28:15;81:13;82:7,23; 87:4 telephone (1) 15:6 ten (4) 16:5;25:3;26:5; 79:14 tend (1) 90:19 term (109) 23:25;38:9,20;39:2, 3,8,17;40:11,23;41:4, 14,16,18,23;42:2,9,18, 21;43:10,11,17,25; 44:2,14,16,25;45:3,3,4, 21;46:4;47:15;55:16, 17,23,24;56:10,13; 57:2;59:6,14,21;60:3, 13,19,20,21,24;61:8, 12,15,16,17,20,24,25; 63:20,25;64:11,17; 65:24;66:11;75:7;90:3; 92:22;93:4;109:18,24; 110:17;111:2,2,23; 112:4,11,14,22;113:2, 8,12,16,23;114:4,9,17; 125:14;133:7,16,20,21, 23;134:5,7,8,11,13,16, 19,20,22,24;135:1,5,9, 10;136:7,16;137:4; 138:7,10 terminology (4) 58:25,25;95:4;137:4 terms (14) 26:19;44:8;78:22; 86:6;87:16;90:8;94:10, 19;101:23;133:18; 135:14;138:10,19; 139:4 terrible (1) 72:3 Terrorism (1) 23:18 testified (3) 4:6;66:16;71:5 testify (1) 97:13 testifying (1) 4:18 testimony (5) 34:16;69:1;70:6; 96:17;111:6 texted (2) 48:22;77:4 theoretical (1) 126:7 thinking (1) 110:20 Third (7) 10:4,6,8,17,22; 21:19;130:14	though (2) 49:21;137:9 threat (2) 7:17;19:8 three (14) 21:10,14,16,22;14; 28:2,5,24;29:15;76:25; 81:25;85:14;105:20; 119:19;128:16 times (3) 128:13,21;133:24 today (12) 4:11;28:9;69:1,23; 70:5;88:15;89:14;91:1; 93:10;114:1;117:3; 140:17 Todd (1) 65:23 together (7) 4:24;69:6;76:13,19; 77:1,16;78:25 told (8) 35:11;39:13,24;42:8; 43:5;113:10;138:9,18 took (2) 81:2;82:1 top (4) 56:15;95:9;106:15, 20 tour (4) 21:7,15;22:7,8 tours (6) 5:21;6:8;21:6,11; 22:2,4 Towers (1) 132:13 traded (1) 47:8 traffic (5) 28:17;81:13,15; 118:10;128:24 train (1) 22:16 trained (4) 40:7,17,18;42:1 training (15) 5:16;37:9,10,17,19, 21,24;38:12;42:13,16; 78:3,10,18,25;139:21 trainings (1) 78:5 transcript (7) 31:10;33:17;34:6; 48:16;60:11;80:7; 119:15 transcripts (1) 59:9 transferred (1) 118:14 Transferring (1) 37:12 treat (2) 88:8;108:15	treated (3) 96:15;109:12;111:1 treating (5) 88:17;108:21; 109:21;110:10,11 treatment (2) 108:25;120:9 tribal (1) 38:16 Tri-C (1) 6:1 tried (1) 40:14 Triple (10) 8:4,7,14,20,25;9:4,9, 12,25;11:2 trouble (1) 48:25 true (14) 49:16;50:22;65:19; 66:6;68:17;69:2;70:11; 75:2;77:21;114:10,12; 120:11;121:20;130:22 trust (1) 89:19 truthful (1) 41:6 Try (8) 4:19,22;99:8;104:5, 13,13;119:3;138:15 trying (1) 39:1 tune (8) 51:14;53:20;56:5; 59:22;111:4,16;112:5; 113:8 tuning (3) 56:24;88:16,25 turn (2) 104:4;136:13 TV (4) 103:20;113:21,23; 131:13 Twin (1) 132:13 two (15) 4:15;11:8;15:8; 21:10;69:5;76:12,23; 77:15,24;79:10,23; 86:16;116:16;139:12, 13 two-part (1) 123:1 type (7) 11:11;12:22;13:7,23; 17:3;90:11;133:4 types (6) 48:24;51:4;53:15; 62:10,20;90:4	119:22 unacceptable (2) 90:12;121:14 unambiguously (1) 70:14 unauthorized (1) 35:14 uncle (9) 112:18,19,21;113:1, 15,19,20;115:5,10 under (21) 45:15;54:19;55:2,11; 56:7,17,22;71:22; 78:22;85:25;86:6,8; 88:2;90:15;94:10; 118:16;120:14;122:23; 123:6,6;130:8 undergo (1) 78:19 understandable (1) 61:2 understood (2) 38:12;39:3 Unequivocally (1) 69:13 unfathomable (1) 138:25 unimaginable (1) 138:25 union (3) 101:3;105:15;135:18 union's (1) 97:24 unit (13) 22:13;31:1;116:11, 18,20;117:5,11;118:11, 11,12,15,17,21 United (4) 22:20,22;24:6; 139:17 units (4) 22:12;117:22;118:8, 20 universally (1) 70:14 University (1) 6:3 Unless (1) 99:4 unnamed (1) 67:14 unquote (2) 63:23;66:23 unrelated (1) 78:10 unsafe (1) 36:7 up (40) 8:15;25:14;26:7,11, 14;32:5;35:13;36:6; 40:13;43:10,20;47:10, 14;51:9,14;53:20,22, 24;54:9;55:4,12;56:5;	59:22;88:17;89:1; 103:12;111:4,16,17; 112:5;113:9;118:20; 122:9,16,19;123:11; 124:8;125:1;131:18; 132:24 upon (9) 34:11;61:2,4;64:18; 73:24;78:6;85:20; 86:23;96:24 usage (3) 41:16;44:8;139:12 use (50) 28:15;35:1,25;47:14; 55:10;58:19,20;64:17; 70:13,19;71:9,21;72:4, 10;75:6;81:12;82:9,21; 87:3,10,15,20;91:17; 100:15;101:13;109:24; 110:16;111:2,3,15; 112:11,14,22;113:7,11; 114:3,8;121:14; 122:25;124:2,16; 133:8,16,17,21;134:13; 136:8;138:7,10,19 used (70) 28:10;37:5,11,13,25; 38:4,14;39:3;41:5,10, 14;42:20;44:14;45:22; 46:4;60:4,14,22,24; 61:11,18,19;63:25; 64:10,14,21,24;65:13; 66:22;67:2;70:16,24; 71:10;72:4,15;73:13; 75:6;90:3,8;92:22,23; 93:4;94:20;95:4;96:21; 103:16;104:20;108:6; 111:9;112:4,8;113:23; 123:22;125:15,20,21; 134:3,6,11,16,19,24; 135:1,5,9,10,22; 136:16;137:6;139:5 uses (6) 67:3;72:21;73:25; 74:14;75:1;104:2 using (14) 36:6;71:3,13;73:4; 94:9;103:8;104:16; 113:15;123:6;124:7; 126:12,15;133:7;137:9 usually (1) 118:5
V				
valid (1) 81:6 values (2) 88:2;89:21 various (1) 108:2 varying (1) 85:7				

verbally (1) 4:17 verbiage (2) 87:17;129:14 Verizon (1) 47:7 versus (2) 85:5;111:4 vested (1) 137:15 via (2) 62:7;92:24 VIDEO (8) 4:2;35:3,6;91:20,23; 140:11,14,20 Viet (1) 131:11 violations (1) 86:13 violence (2) 110:5;119:2 virtually (1) 37:25 vocabulary (1) 122:13 volunteered (1) 132:24	week (1) 15:8 weeks (1) 21:10 weigh (1) 85:8 weren't (3) 19:23;94:14;106:7 what-if (2) 123:2;124:4 What's (23) 16:16;20:3,20;26:10; 31:6;32:6;33:19;49:25; 53:20;66:25;69:7,7; 75:23,23;85:2;86:6; 95:22;114:23;116:20; 130:8,8,11;139:24 whatsoever (1) 40:22 white (1) 95:1 whole (1) 38:19 wide (1) 37:14 Williams (3) 29:12;120:1;131:10 within (5) 32:15;35:17;49:14; 116:8;138:18 without (8) 65:14;86:10,24;87:6; 88:9;89:1;97:12;99:14 WITNESS (5) 51:22;52:1;99:2; 102:25;125:8 word (65) 34:20,20;37:4,11,13, 19;45:11,15;46:14; 52:7;55:10;56:9;65:13; 70:16,23;71:3,10;72:3, 10,16,21,25;73:13; 75:6;87:11;93:15,16; 121:1,3,5,18,21;122:3, 7,11,12,16,20,25; 123:4,11,15,21;124:2, 8,10,16,25;125:19,21, 25;126:6,9,9,16,21; 127:7;128:6;130:16; 134:1;137:1,6,11,23,25 wording (1) 95:4 words (13) 40:3;47:20,20;49:2; 74:6;94:19;108:2; 120:21,25;121:8,11,12, 16 word's (1) 139:11 work (16) 7:6,8,9;8:1;9:25; 11:11;22:2;81:20,20, 25;83:18;107:21;	115:25;118:1;133:17; 134:15 worked (4) 7:12,22;39:21; 103:24 Workers (1) 39:23 working (5) 8:24;9:8,12;52:9; 53:17 world (3) 139:14,19,24 write (1) 115:4 writing (1) 131:19 written (7) 11:22;14:20;19:15; 64:14,24;130:9,11 wrong (5) 56:16;74:23;88:7; 98:13;99:5 Y year (6) 5:15,17,24;7:1;8:9; 47:3 years (6) 4:15;21:10;25:3; 79:14;108:8;116:17 year-wise (1) 6:6 Z Zero (1) 132:24 0 06 (1) 6:12 1 1 (2) 29:18;34:10 10 (1) 83:6 10:31 (1) 35:4 10:37 (1) 35:7 10th (1) 85:21 11:37 (1) 91:21 11:50 (1) 91:24 12:48 (1) 140:12 12:55 (3)	140:15,21,22 13 (1) 8:17 14 (1) 6:12 17 (2) 5:14;37:11 19656 (1) 114:24 2 2 (4) 28:14;30:4;34:8; 100:17 2003 (1) 6:7 2007 (2) 6:13,23 2009 (2) 35:24;36:11 2011 (1) 7:3 2012 (2) 8:16;9:24 2013 (5) 8:10;9:24;10:8,12; 35:11 2014 (2) 35:13;36:14 2015 (3) 36:5,13,16 2017 (5) 27:20,21;48:6;80:17; 82:2 2018 (6) 11:18;14:24;26:13, 17;27:10;83:6 24 (1) 60:19 27 (1) 82:1 27th (2) 48:6;58:20 28 (1) 24:25 3 3 (6) 21:5;22:18;28:19; 30:12;34:8;88:2 30 (1) 8:23 32 (1) 36:25 36 (1) 65:15 37 (1) 66:19 38 (2) 70:1,7	 4 40 (1) 70:13 44 (1) 75:5 45 (2) 75:20;76:3 5 5 (1) 24:24 50/50 (4) 60:20;61:16;92:17; 93:16 500 (1) 13:5 6 6 (1) 37:1 7 75th (1) 5:20 9 9 (2) 21:5;22:19 9/11 (3) 131:7;132:13,23 9:54 (1) 4:3 90 (4) 8:23;10:16,19;81:24
---	---	--	---	---